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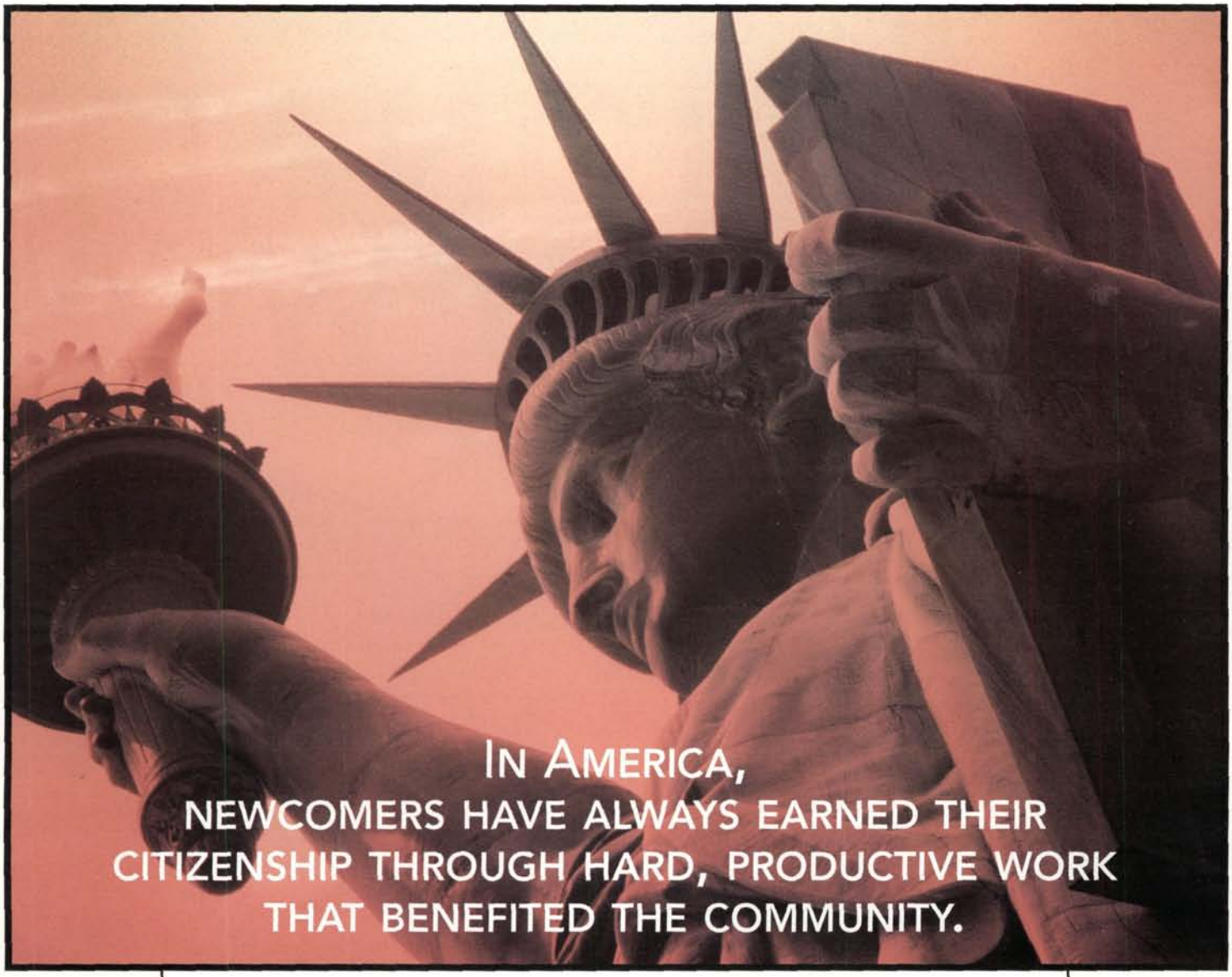
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NATIONAL REVIEW

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Letters

God Rest Ye Merry, Gentlemen

In "How Good They Were" ["Books, Arts & Manners," June 12] Jeffrey Hart says ". . . for men in America, the only plausible ideal for conduct is the idea of the Gentleman. Who else is there? The Rock Star? The Cowboy? Norman Mailer's White Negro? The Underground Man? Huck Finn?"

How sad. If Mr. Hart thought longer, perhaps the Christian would come to mind. And before you say it let me correct you: the Christian and the Gentleman are not necessarily synonymous.

Pete Skurkiss
Chester Township, N.J.

Days of Innocence

"Ginger Rogers, RIP" [May 29] struck a chord. For one aging duffer, at least, it evoked memories of those long-ago days of innocence, romance, and beauty.

John C. McCarthy Jr.
Savannah, Ga.

I Do, Do You?

Robert Plunkett ["Vow for Now," May 29] is quite possibly correct in all of his empirical assumptions and conclusions in his marvelous essay on the deleterious social effects of the temporarization of marriage. However, one of his crucial assumptions is far from being proven, namely that it is "idiotic [to believe] that children [are] better off when released from an unhappy marriage." He states that children from single-parent families are much more likely to be poor, have psychological problems, drop out of school, get pregnant before marriage, take drugs, and commit crime.

Let us ignore the difference between children of never-married mothers and children of divorce, a distinction not made by Mr. Plunkett, but crucial to his point. There is no doubt that Mr. Plunkett is correct in claiming that other things being equal, the absence of a father abets development of those pathologies. But it is not clear beyond doubt that other things *are* equal for the compared groups. To find out whether or not children of divorce are worse off because of the divorce itself, they must be compared to children in dysfunctional families where the parents choose not to divorce.

Such a study is probably methodologically impossible, but it is certainly not "idiotic" to consider the possibility that problems in the intact yet dysfunctional family do as much harm as does divorce. I have no idea whether this is the case. But neither does Mr. Plunkett.

Steven Goldberg
New York, N.Y.

Mr. Plunkett states that "federal legislation should require that the law of the state where the wedding ceremony took place be controlling on the issue of whether any particular marriage could be dissolved." What I would like to know is where Congress gets jurisdiction over marriage and divorce.

William T. Barrante
Watertown, Conn.

Robert Plunkett's recommendations to make it harder to leave marriage, mild as though they are, will not be acted on in our current culture. But why not exploit today's only sacred idea—choice? As Christopher Wolfe of Marquette University has suggested, we might allow *both* marriage options. Choice A would be the current legal "no-fault" marriage with its supposed freedom, while choice B would be the traditional matrimonial license with very narrow grounds for divorce. Couples would choose their option when they applied for their license.

Given this legal choice, many women might reject suitors who proposed an open-ended A relationship instead of a real B marriage. If the moral sense of American men and the romantic drive of women remain healthy, the no-fault approach will be undermined and we might at least begin to revive the legal concept of the traditional family.

Dennis Teti
Alexandria, Va.

"I couldn't bring my money, but I can still manage it."

Editor's note: Letters of 300 words or less have a greater chance of being published.

The Sword of Truth

Bravo to Mark Falcoff's "The Other Cuba" [June 12]. As a Cuban-American who lost his childhood to Castro's cruel betrayal, I can tell you that this article reflects the convictions of anti-Castro Cuban-Americans.

In 1960, during my last summer in Cuba, my father, who had fought for Castro in 1958, was being pursued for speaking out against Castro's betrayal. He decided to hide his family in Varadero Beach, where my mother took me to see Walt Disney's *Sleeping Beauty*. I was eight years old, and it made a lasting impression on me, symbolizing all that is beautiful and good in a world gone mad. Like Maleficent's sleeping spell, Castro's evil influence had insidiously spread through Cuba. The victorious moment comes when Flora, the good fairy, enchants Prince Philip's sword with a magic spell —"Oh sword of truth fly swift and sure, may evil die and good endure!"— propelling the sword and killing the enormous dragon. Today, in our great country, we can speak the truth—and that is exactly what Mr. Falcoff has so eloquently done.

My wish is that someday, after tyranny in Cuba has ended, my children and I will go to Varadero to see *Sleeping Beauty*. I will reminisce of when I saw it long ago, but this time, when I step out of the theater into the bright Varadero sun, there will be no fear of terror. I will bask in the joyful glow of freedom in a peaceful and democratic Cuba. And I will know that my deceased parents' sacrifices and suffering, as well as my own and those of all other Cubans and Cuban-Americans have not been in vain.

Sergio G. Rodriguez
New Orleans, La.

Battery Bloopers

Michael McKenna's "Electric Avenue" [May 29] reminded me of my time as an officer in the U.S. Navy's now all but forgotten diesel-electric submarine force, where I experienced the exhilaration of innumerable all-night battery charges. I can tell you that a lot more energy has to

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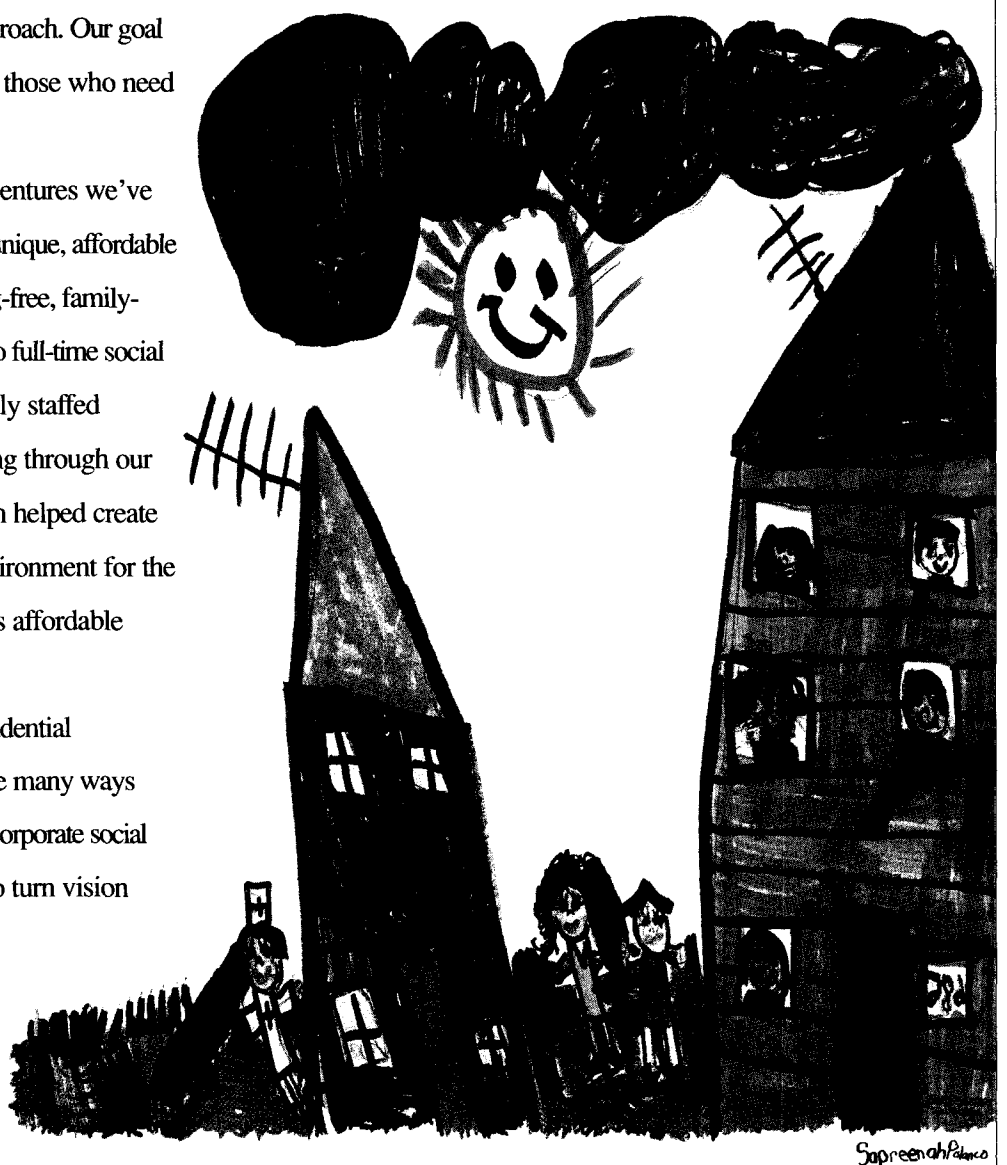

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be put into a battery than it will ever give back. It's a very inefficient way to obtain end-use power.

Lead-acid batteries powerful enough to drive a car are inherently dangerous. They require much more attention than today's typical driver pays to his car. Among other things, batteries emit hydrogen, which burns in atmospheric concentrations of 3 per cent. If it gets to 8 per cent, all that's needed is a spark and it explodes. Imagine the mess that will result when an electric car's batteries get ruptured in a crash. The corrosive electrolytes will spill out over the landscape—just before the explosion.

Battery replacement can't be done by a shade-tree mechanic on a Saturday afternoon. The batteries' active components (lead, sodium, sulphur, nickel, cadmium, electrolytes) will have to be disposed of safely, which will be expensive.

Electric-car zealots believe new technologies will overcome current problems. If such new technologies existed, or were even on the near horizon, car companies would be tumbling over one another to apply them. But they don't exist. The sooner this is recognized, the sooner we'll get on with realistic solutions to our air-quality problems.

Fritz Steiner
Huntsville, Ala.

Spread the Wealth

I read the May 15 "Right Data" with my usual interest and admiration for the skill with which Ed Rubenstein analyzes economic data. He states in "The Inequality Industry" that "the richest 1 per cent of Americans . . . controlled 39 per cent of total household wealth in 1989." Most people don't understand what wealth is; they believe money and wealth are the same thing, and they are vulnerable to the demagogic cries of alarm by politicians and others about "concentration of wealth in the hands of the few."

Money *controls* wealth, but it *is not* wealth. You can't eat it, you can't wear it, it makes lousy wallpaper. Yes, *money* is concentrated in the hands of the few. Bill Gates, for example, is worth roughly $5 billion. But, even though he may live lavishly, his wealth is not concentrated around his person. Most of his wealth is represented by pieces of paper certifying ownership of a large portion of the assets of Microsoft. That's where his wealth is—in land, buildings, furniture, equipment of all kinds. Is it bad for wealth to be "concentrated" in that manner? Ask any employee of Microsoft. Or ask any employee of Hewlett-Packard whether he resents the concentration of its founders' wealth. I trust, by the way, that Messrs. Hewlett and Packard are no longer working fifty hours a week unless they want to; those titans deserve a rest!

Thomas Letchfield
Palo Alto, Calif.

Legal Laments

Rael Jean Isaac's response to my letter ["Letters," June 12] wrongly impugns me and the nonprofit National Legal Aid and Defender Association, working since 1911 to advance the cause of equal justice. She implies that I, while at the Legal Services Corporation, helped transfer funds to NLADA to pave the way for my future employment here.

Downsizing after a 25 per cent budget cut in 1981, LSC began withdrawing from training, technical assistance, and other support services—functions labeled "political" by Mrs. Isaac—to local legal services programs. Consequently, it made grants to NLADA, which historically had performed similar functions, to step into the breach.

I was hired as NLADA's executive director, pursuant to a competitive process, almost two years after the LSC grants were made and six months after I resigned from LSC and moved from Washington to Atlanta. The implication of any connection between the grants and my hiring is nonsense.

Clint Lyons
Executive Director, NLADA
Washington, D.C.

Mr. Lyons's explanation of how over $2 million came to be transferred to the NLADA differs markedly from the facts uncovered by Congress working with LSC documents. Mr. Lyons was a member of what was known within the LSC as the ABC Committee: the A was for Alan Houseman, the B for Beatrice Moulton, and the C for Clint Lyons. Its mission was, in the committee's own phraseology, "to save the rubies" by removing them from the legal control of a Reagan-appointed board. The rubies were the most political parts of the program, enabling Legal Services to pursue what Mr. Houseman described as its core purpose: "We have struggled, since 1965, to bring into the belt federal, state, and local benefits. What is at stake is . . . programs like affirmative action, civil-rights programs . . . Those . . . are far more important than legal services. Legal services is a tool to get them."

"Leadership development" (training Legal Services attorneys, clients, and community activists to coordinate their efforts for the goals Houseman set forth) was one of the rubies. In 1979 NLADA had applied to the LSC for half a million dollars for training programs and been turned down summarily. In The Legal Services Corporation: The Robber Barons of the Poor? *Senator Orrin Hatch writes: "What happened . . . to produce such a different result [in 1981]? First, Ronald Reagan was elected. Second, NLADA did not make the second request on its own: in 1981 the Corporation* solicited *a grant proposal from NLADA. In fact, two Corporation officials, Clint Lyons and Hulett Askew, were instrumental in both obtaining the proposal from NLADA and helping to ensure the quick awarding of funds. The funds were also given in a lump sum at the outset, so that [LSC] retained no portion of the grant which could have been withheld if there were problems with NLADA's performance. Moreover, according to [LCS], Mr. Lyons subsequently waived in 1982 many of the standard reporting requirements . . . and the Board of the Corporation was never informed . . ."*

Mr. Lyons can rest assured that I do not believe he had any notion of feathering a future nest when he helped pave the way for NLADA's $2-million grant. In my own view, the correspondence in political philosophy between Mr. Lyons and NLADA made him an excellent choice to serve as NLADA's chief executive. —RJI

Belgian Bungles

Regarding your statement about Willy Claes ["The Week," May 15], let me point out what may be a little-recognized aspect of the Belgian government.

When a Belgian military service wants to buy a new weapon system, it evaluates all available candidates and tells the Ministry of Economic Affairs which offerings *could be lived with*—it is not allowed to say which one would do the job best. The MEF then decides which system to buy, based on how much action Belgian industry will get out of the deal. Naturally, this invites shenanigans. What the government essentially says to the service is "Risk your lives defending us, but do it with second-rate equipment."

All this was tolerable only because the Belgians did not really feel threatened as long as America protected it with nuclear weapons.

William F. Miller
San Marcos, Calif.

Support Groups

I wish I could take credit for the marvelous item that it takes nine American families to support one federal bureaucrat ["For the Record," June 26]. Credit for the factlet, however, belongs to Congressman Ernest Istook.

Marshall Wittmann
The Heritage Foundation
Washington, D.C.

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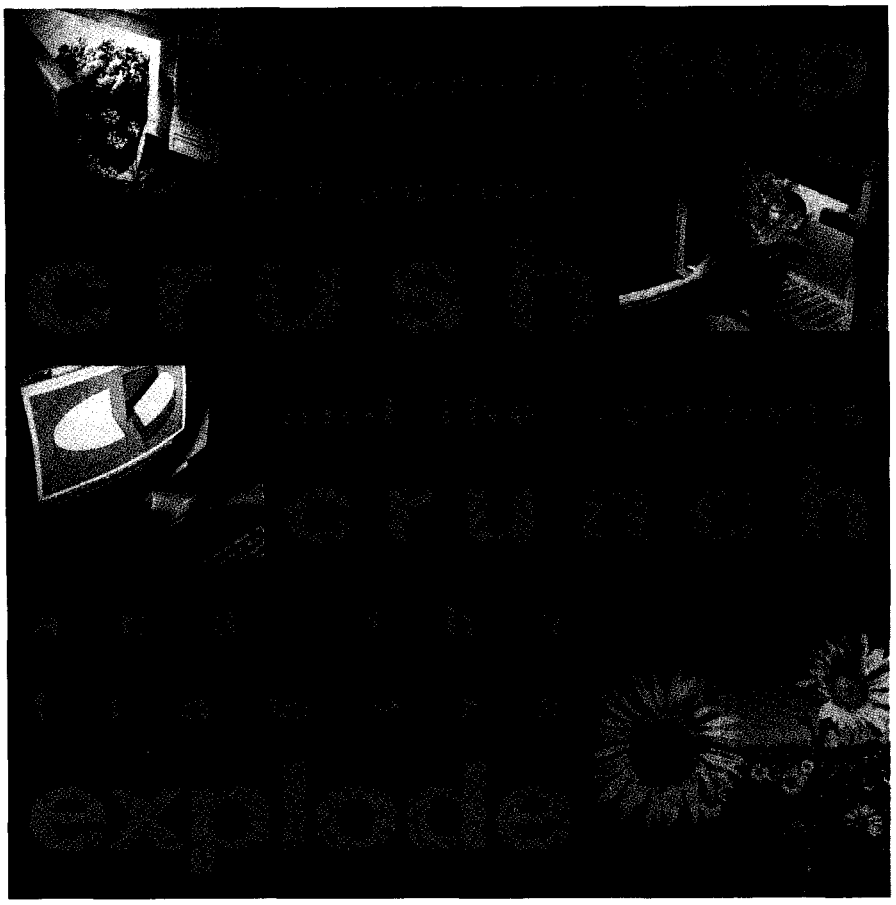

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FROM THE EDITOR

Nothing Fails like Success

■ Launching the second volume of her memoirs with media interviews in London last week, Lady Thatcher was drawn into candid assessments of how her successor had squandered the Thatcherite legacy of low taxes, limited government, and British resistance to creeping Euro-socialism.

What made the indictment especially potent was the robust self-confidence with which it was delivered. By contrast, Mr. Major's modest suburban style seems to be wearing thin, perhaps because (as the old joke has it) he has much to be modest about:

—The Tories are 39 points behind Labour in the polls. Yes, it's a record.

—At least five Tory ministers are under clouds of scandal, and at least two resignations thought in the offing.

—Labour, meanwhile, woos the middle class with promiscuous moderation.

—Mr. Major's parliamentary majority is down to a shaky nine.

—And several Tory MPs, including some ministers, are believed to be planning to stand against the Prime Minister in a leadership election this fall. Their program: to turn the feared and increasingly likely "Canadian-style meltdown" into a mere Labour landslide.

■ How did it come to this? After the Reagan–Thatcher heroic age, both Republicans and Tories reverted to unheroic leaders steeped in establishment respectability and conventional unwisdom.

Mr. Bush and Mr. Major duly set about squandering their legacies. They raised taxes, let spending rip, and dropped broad hints that they would retreat from their predecessors' bolder conservative approaches—Mr. Bush promised "a kinder, gentler America," Mr. Major "a nation at ease with itself" and a "classless society."

Both roads led to nemesis, but by different timetables. The GOP was fortunate enough to lose the 1992 election, freeing Reagan's children, pre-eminently Newt Gingrich, from the bonds of loyalty to failed policies. They revamped Reaganism for the Nineties in the Contract with America.

In Britain, however, Mr. Major did not abandon Thatcherism until after his 1992 election victory. So Thatcher's children were restrained from criticism by the golden chains of high office as conservatism deconstructed itself.

How unlucky the Tories were to win in 1992! Had they lost, they would today face a weak Labour government, discredited by its tax hikes, the collapse of its fixed-exchange-rate policy, and its subordination to the Euro-socialist bureaucracy in Brussels. And having reinvented themselves in opposition as the party of free enterprise and national independence, they would stand on the verge of a sweeping electoral victory.

With Lady Thatcher's full approval.

■ Some years ago, I was on vacation on a Spanish beach when the hawker for a local disco handed me an invitation to a party to celebrate "the Swiss national day."

"It must be the day they draw their interest," hazards Professor Robert Schuettinger, drawing on all his authority as the author of *The Conservative Tradition in European Thought*.

But the truth is that there are only three national days that the rest of the world knows about—two are American, the Fourth of July and St. Patrick's Day, and the other is the Fourteenth of July, Bastille Day.

I celebrate them in the proper fashion: the Fourth of July with a Big Mac and large fries, and Bastille Day at the Park Bistro, the best French restaurant in New York, beginning with the *patatou de chèvre frais*, going on to the *Raie au vieux vinaigre de vin*, and climaxing with the incomparable *poulet de ferme aux girolles*, or perhaps Chef Jean-Michel Diot's specialty, the *raviolis niçois farcis de trois viandes*.

Or perhaps both.

I am nominating M. Diot for the Nobel Prize for cookery. It is the least I can do. —JOHN O'SULLIVAN

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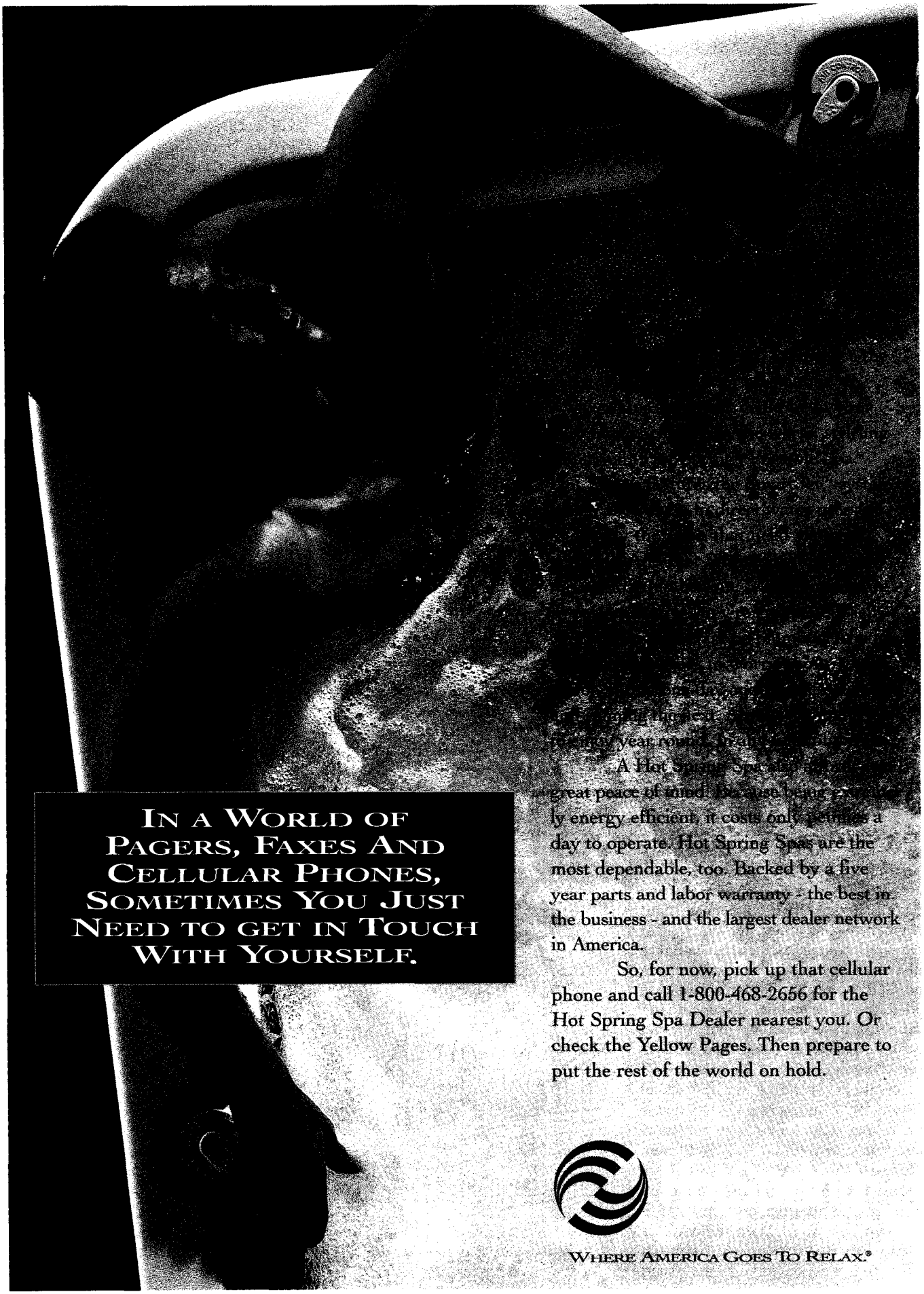

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FOR THE RECORD

■ Are Dems getting closer to abandoning **Bill Clinton**? After "chaotic week of policy zig-zags" (*Washington Post*) on Bosnia, Sen. **John Kerry** (D., Mass.) had harsh words for "muddle-through hope and wish policy" that is "putting American pilots at risk." . . . Mild stuff compared to outrage Democrats expressed at Clinton's sudden decision to imitate GOP and put forward balanced-budget plan. "I think most of us learned some time ago that if you don't like the President's position on a particular issue you simply need to wait a few weeks," said angry **David Obey** (D., Wisc.). "Maybe we need to re-open Pennsylvania Avenue," was the naughty crack (later retracted) of a fuming Rep. **Sherrod Brown** (D., Ohio). Minority leaders Rep. **Richard Gephardt** (D., Mo.) and Sen. **Thomas Daschle** (D., S.D.)—along with White House aide **George Stephanopoulos**—had begged Clinton to delay his plan and stick to **Truman**esque strategy of bashing GOP Congress for balancing budget on backs of poor while favoring rich with tax cuts. Prez defended himself with astonishing comment: "I don't believe it's right for the Democrats to kind of overreact to the last election." Reason GOP aides heard chortling at D.C. bar: Clinton has alienated his own party's dominant wing of bitter-enders and abandoned their attack-attack strategy, but only after following it long enough to convince public he was not serious about deficits and GOP was. . . . Clinton's problems added to by economic slowdown and comments by economists like Morgan Stanley's **David J. Greenlaw** in *New York Times*. Greenlaw blames fall-off in consumer spending on impact of Clinton 1993 tax increase—Americans had to pay $20 billion (30 per cent) more this year than last. . . . With Sen. **Alfonse D'Amato** (R., N.Y.) and Rep. **James Leach** (R., Iowa) revving up congressional hearings on Whitewater, and with rumors of more indictments on way from Special Counsel **Kenneth Starr**, the question pundits may soon be asking themselves (though, unlike OCD, they haven't yet): Can Clinton survive summer without Democratic Party revolt?

■ GOP's Capitol Hill revolution continues apace, with items providing potentially bigger payoffs than even Contract with America. "The fastest-approved constitutional amendment in the history of this country," Rep. **Gerald B. H. Solomon** (R., N.Y.) predicts about anti-flag-desecration measure when GOP Congress sends it to states for approval. American Legion National Commander **William M. Detweiler** has blasted Clinton for flip-flop—he's now against the amendment—but congressional Democrats have the real problem. As elitist liberals who once quietly killed flag and prayer amendments in committee, they risk political extinction by openly opposing measures favored by 80 per cent of voters. . . . Meanwhile, House Ways and Means Committee Chairman **Bill Archer** (R., Tex.)—seeking title of History's Greatest Exorcist—is picking up unexpected support for his plan to abolish the IRS. Rep. **Sam Gibbons** (D., Fla.) and other ranking Democrats on Ways and Means Committee are supporting his plan—proving that whatever their suicidal impulses on flag and prayer, Democrats aren't nuts enough to defend the income tax. . . . Possibility that House GOP members will keep their tax cuts in budget bill during House–Senate conference also had Democrats and liberal journalists worried. *Newsweek*'s Washington bureau chief **Evan Thomas** says current sexual-harassment charges against Sen. **Bob Packwood** (R., Ore.) are a shame because he would otherwise be "an important force" in stopping "this stupid tax cut." Leading efforts of Senate Old Bulls against cuts is the ever-overwrought **Pete Domenici** (R., N.M.), who tried in Eighties to kill off **Reagan** economic boom with tax increases and pushed 1990 budget deal that scrapped **George Bush**'s "No-new-taxes" pledge.

"I take it the King decided against a mediated divorce settlement then?"

■ Ayatollah **Rafsanjani**'s Iran has branded or sliced ears off more than 1,700 army deserters, says Human Rights Watch. . . . In Nicaragua, former Vice President **Sergio Ramirez** has broken with Marxist–Leninist **Daniel Ortega** and split from Sandinista Party. . . . First Deputy Prime Minister **Anatoly Chubais**, chief of Russian privatization effort, says economy is close to stabilization and claims Prime Minister **Viktor Chernomyrdin** is behind his free-market reforms. . . . State Department now permitting U.S. Moscow embassy employees to have love affairs with Russians. . . . Germany agog over theater production of *Love Letters to **Adolf Hitler***, based on genuine stuff written by frauleins during war years ("My Beloved Führer" and "My Darling Sugar-sweet Adolf") and recovered from bombed-out Chancellery.

■ **Lenin** Does West Coast. *New York Times*'s **Melanie J. Mavrides** reports that a 7-ton, 16-foot-tall statue of Lenin has made its way from Eastern Europe to Fremont section of Seattle, which is "this city's equivalent of SoHo." As a crown "swayed and clapped" to "Polish Resistance songs" under a "golden sun" and the statue was lowered onto its pedestal, a young man offered a toast to the Bolshevik leader: "Yo, surfer dude." Local "creative types" like 37-year-old café owner **Nola Morozova** also saw statue's "potential": "I can't wait to dress it up in a ballet tutu." —OCD

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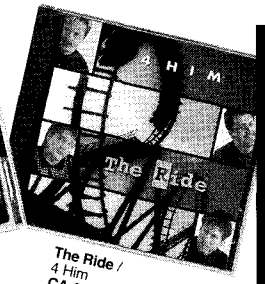

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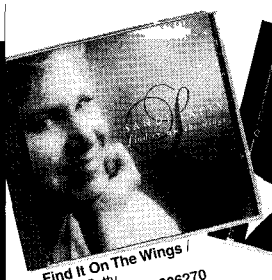

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THE WEEK

■ A member of a state militia told a congressional committee the government is conspiring to change the weather. Is this the same government that can barely conspire to deliver the mail?

■ Welfare reform is getting typical Contract-with-America treatment in the Senate, i.e., GOP disarray followed by distressingly weakened legislation. Majority Leader Bob Dole and Finance Committee Chairman Bob Packwood both hoped to rush through a reform bill, Dole to win another feather for his presidential cap, Packwood to avoid a conflict with his end-of-June ethics hearings. But little had been done to ensure GOP unity, and now Senate Republicans are paying the price. The bill Packwood reported out of his committee—weak on work requirements, silent on illegitimacy—is unacceptable to conservatives like Lauch Faircloth (N.C.). And Packwood and Dole staff have rebuffed attempts to make the bill any more palatable to the Right—even language merely declaring illegitimacy harmful to society was kept out of the bill. Faircloth and Phil Gramm were pointedly left off a task force formed to hammer out the welfare differences. This could herald a bloody intra-Republican battle—with Phil Gramm carrying the conservative banner against the inside-Washington maneuverings of, among others, prominent Dole staffers. Is the Dole campaign paying attention?

■ Beware the conciliatory Newt. At the outset of their New Hampshire shmooze-fest President Clinton and Speaker Gingrich shook hands on creating a bipartisan commission to recommend campaign finance and lobbying reforms. It was great feel-good theatrics, but awful policy. In the case of military-base closings, a bipartisan commission was just the trick, hammering out the unsavory details of a consensus goal. When it comes to campaign finance there's no consensus about anything, and the only meaningful role of a commission would be to create momentum for ill-conceived proposals, with public financing (a/k/a the politician's entitlement) topping the list. In case you doubt it: former Common Cause president Fred Wertheimer is gung-ho about the commission idea. Gingrich proved in New Hampshire that he knows moose when he sees them. If only we could say the same about bull.

■ Eagle-eyed Republican number-crunchers to the rescue! The President's budget is full of rosy assumptions, they say. Ten years down the road, it will still be $200 billion in the red when it is supposed to be balanced. You could almost hear the sigh of relief from the Democratic side of the aisle.

■ The House Telecommunications and Finance Subcommittee recently heard five Federal Communications Commission officials explain why their bailiwick needed *more* funding at a time when other federal agencies are contemplating deep cuts. Why? The telecommunications legislation working its way through Congress creates so many new functions for the FCC that there's no way it can cope, given its current resources. The legislation crafted by the Senate Commerce Committee under Larry Pressler (S.D.) started out fairly deregulatory but got steadily less so under the pressure of fat-cat lobbyists and bipartisanship. By the time it hit the Senate floor, Bob Packwood (Ore.) and John McCain (Ariz.)—the conscience of the Senate on telecom deregulation—felt compelled to vote against it. The bill proposed in the House isn't much better. Subcommittee Chairman Jack Fields (Tex.) has been telling high-tech free-marketeers not to worry, reforms not made in the telecom bill can be taken care of in the course of re-authorizing the FCC. But the FCC bill Fields has just unveiled—co-sponsored with liberal Democrat Ed Markey (Mass.)—leaves FCC funding at current levels. Unless Newt Gingrich intervenes, the 104th Congress will blow an opportunity to unfetter a cutting-edge American industry by abolishing the FCC, privatizing the spectrum, and moving away from "universal service" requirements for phone service. What would the Tofflers say?

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■ *NR* is delighted to announce the appointment of Kate Walsh O'Beirne as our Washington editor. Mrs. O'Beirne, who is vice president for government relations at the Heritage Foundation, first came to Washington as a staff assistant to the sainted junior senator from New York, James Buckley. In the Reagan Administration she served as deputy assistant secretary at HHS. She takes up her *NR* post on August 1.

■ Gingrich will make his pitch to kids when he appears on an upcoming segment of MTV's *Raw*. Gingrich follows in the footsteps of Bill Clinton, whose performance on the rock 'n' roll network was a story second only to Michael Jackson's wedding. So, Mr. Speaker, boxers or briefs?

■ Ramon Cortines, the chancellor of the New York City School System, has resigned, and the liberal intelligentsia is in mourning. Felix Rohatyn called it "the saddest day in the twenty years I've been working with the city." But what were Cortines's achievements? Unlike his predecessor, Joseph Fernandez, he made some tentative but real cuts in an education bureaucracy larger than that of France. He reformed the practice of "social promotions"—promoting sub-literate kids so they don't feel so bad about themselves. He gave parents the chance to take their children out of the program that would give them free condoms. But did Cortines gain from the powerful teachers' unions the right to dismiss incompetent teachers? Did he clean up the corrupt local school boards? Did he bring any discipline into a school system in which one teacher a day is hospitalized because of a student attack? Did he do anything to reduce the system's cost per pupil—which remains several times that of demonstrably superior parochial schools in the city and of public schools in every other nation. Cortines is a decent man. The fact that his legacy was so meager shows how badly the schools need radical change. The first step toward that is to introduce real competition—and not just in New York City.

■ In an annual rite of summer, New York City's "gay pride" parade will once again pass by St. Patrick's Cathedral, where militant homosexual activists will vent their hatred of the Catholic Church and its teaching of chastity for unmarried persons. Last year, while Rudy Giuliani turned a blind eye, gay exhibitionists pranced naked down the street and engaged in public masturbation. They chorused obscenities at the Cathedral, which while not illegal, as William Donohue of the Catholic League points out, would never be blessed by New York officials if it were done by Nazis in front of Temple Emanu-El, or Klansmen in Harlem. Mr. Giuliani has escaped political fallout so far, partly because Church officials have not put up much of a fight. Mr. Donohue, however, is another story. He has threatened to rouse the 43 per cent of city residents who are Catholic, many of whom helped give the mayor his narrow victory over David Dinkins. If Mr. Giuliani wishes to show tolerance for gays, he should find a better way than tolerating bigotry against Catholics.

■ Will "even poor kids in distant areas," President Clinton asked Newt Gingrich, be able to cruise the Infobahn? Or "will the information superhighway simply give access on the Internet to [people] who tell you how to make bombs?" We hope not; we'd hate to see Ira Magaziner on-line.

■ The dramatic annihilation of Canada's pro-immigration Progressive Conservative Party in 1992, and its replacement in the national parliament by the new, immigration-questioning Reform Party, was a clear warning to U.S. political leaders. Now the general election in Ontario, Canada's largest province, on June 8 sends a warning about another elite-imposed policy: affirmative action, i.e., quotas. Before the three-week election campaign, the provincial Progressive Conservative leader, Mike Harris, had wisely positioned his party several hundred miles to the right of its late unlamented federal counterpart on tax and spending issues. But he still had only about a quarter of the vote, according to public-opinion polls. The provincial Liberals, with 52 per cent, appeared poised for a landslide win over the governing party, the socialist New Democrats. (Reform did not participate.) Then the New Democrats' quota policies exploded as an issue. Harris attacked them; the New Democrats denied they existed; the Liberals allowed as how they were against quotas but in favor of affirmative action blah blah blah. Result: Mike Harris is the new Progressive Conservative premier of Ontario. Typically, the Republican leadership in Washington was simultaneously passing the word that abolishing affirmative action will not, after all, be among its legislative priorities.

■ When Boris Yeltsin arrived in Halifax a reporter asked what it's like to come to a G-7 summit hoping to get a little attention. Yeltsin said he didn't know, but would ask Bill Clinton when he saw him.

Senator Simpson, Giant Killer

Think of David with no slingshot,
Or the Cyclops with no sight.
Just imagine Grendel bugged by
Beowulf without his bite.
That describes the situation
Alan Simpson's in as he,
With defective bridgework, tries to
Chew up the AARP.

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Small Company's New Golf Ball Flies Too Far; Could Obsolete Many Golf Courses

Pro Hits 400-Yard Tee Shots During Test Round

Want To Shoot An Eagle or Two ?

By Mike Hensen

YALESVILLE, CT – A small golf company in Connecticut has created a powerful, new ball that flies like a U-2, putts with the steady roll of a cue ball and bites the green on approach shots like a dropped cat. But don't look for it on weekend TV. Long-hitting pros could make a joke out of some of golf's finest courses with it. One pro who tested the ball drove it 400 yards, reaching the green on all but the longest par-fours. Scientific tests by an independent lab using a hitting machine prove the ball out-distances ten major brands dramatically.

The ball's extraordinary distance comes partly from a revolutionary new dimple design that keeps the ball aloft longer. But there's also a secret change in the core that makes it rise faster off the clubhead. Another change reduces air drag. The result is a ball that gains altitude quickly, then sails like a glider. None of the changes is noticeable in the ball itself.

Despite this extraordinary performance the company has a problem. A spokesman put it this way: "In golf you need endorsements and TV publicity. This is what gets you in the pro shops and stores where 95% of all golf products are sold. Unless the pros use your ball on TV, you're virtually locked out of these outlets. TV advertising is too expensive to buy on your own, at least for us.

"Now, you've seen how far this ball can fly. Can you imagine a pro using it on TV and eagle-ing par-fours? He would turn the course into a par-three, and real men don't play par-three's. This new fly-power forces us to sell it without relying on pros or pro-shops. One way is to sell it direct from our plant. That way we can keep the name printed on the ball a secret that only a buyer would know. There's more to golf than tournaments, you know."

The company guarantees a golfer a prompt refund if the new ball doesn't cut five to ten strokes off his or her average score. Simply return the balls–new or used–to the address below. "No one else would dare do that," boasted the company's director.

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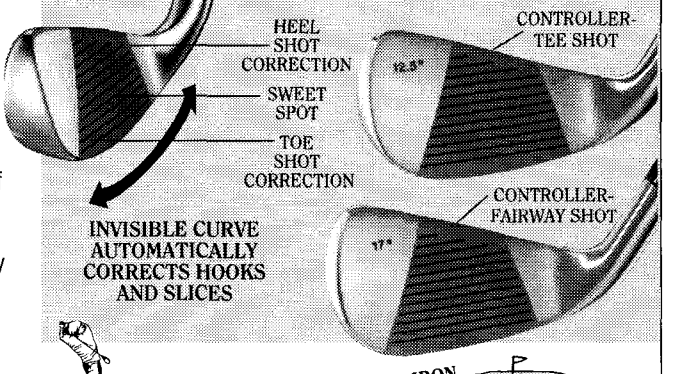

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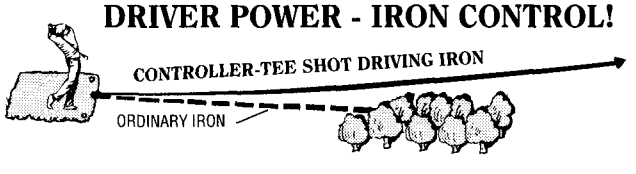

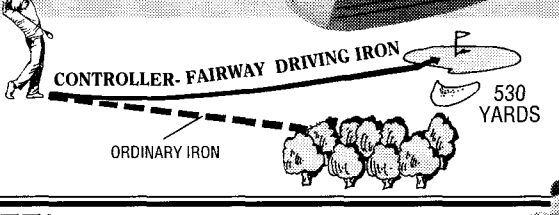

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■ Disney's new animated film *Politicallycorrectahontas* premiered in an extravaganza in New York's Central Park. The damage inflicted on the park's flora and fauna by the crowd of 70,000 certainly vindicates the film's message that Western Civilization has been harmful to the ecology of the New World. But the worst pollution was intellectual: Pocahontas is portrayed as a cross between Buffy Sainte-Marie, Joan of Arc, and Petra Kelly; the English settlers of colonial Virginia are brutal aristocrat/capitalist land-stealing predators. Powhatan, Pocahontas's father, is shown as the saintly leader of a people in true spiritual harmony with Nature; in reality he was a sort of Attila the Algonquin who conquered twenty rival tribes and annihilated some of them. All the facts of Pocahontas's story are so skewed that even her Native American descendants have complained that the film despoils their cultural heritage. Now we know what we were spared when Disney's project for an "American History Theme Park" in Virginia was torpedoed.

■ While hailing the encyclical *Evangelium Vitae* (*The Gospel of Life*), *NR* expressed concern on two points. The press had quoted Joseph Cardinal Ratzinger as saying that the encyclical's teaching on capital punishment represented a "development of doctrine," and that the new Catechism, issued only last year, would have to be revised to reflect the new teaching. Since then Fr. Richard John Neuhaus of *First Things* has asked the cardinal for a clarification, and has received this reassuring word. "Clearly, the Holy Father has not altered the doctrinal principles which pertain to this issue [the death penalty] as they are presented in the Catechism, but has simply deepened the application of such principles in the context of present-day historical circumstances. Thus, where other means for the self-defense of society are possible and adequate, the death penalty may be permitted to disappear. Such a development, occurring within society and leading to the forgoing of this type of punishment, is something good and ought to be hoped for." And there is no question of recalling the Catechism. The cardinal meant only that the official Latin text, which is being prepared after the publication of the vernacular versions, will refer to what *Evangelium Vitae* says about capital punishment. So Catholics relying on the Church's official teaching as expressed in the Catechism may in good faith disagree over whether, in today's circumstances, the self-defense of society requires the death penalty. Cardinal Ratzinger's clarification should be welcomed by all those who are concerned with the constancy of the Church's teaching. We expect it will not be welcomed by people who, ignoring what the encyclical says about abortion and euthanasia, triumphantly proclaimed that *Evangelium Vitae* condemns capital punishment.

■ "I am very much in favor of every American learning a second language," says Newt Gingrich. He adds, however, that every immigrant to America already has his second language and now needs to learn his first. After thirty years of multiculturalist foolishness, the government finally seems poised to make English the nation's only official tongue. Representative Peter King (R., N.Y.) has proposed a bill that would require election ballots and other federal documents to be in English, and would end bilingual education. To multiculturalism we do not bid *adieu*, *hasta luego*, *sayonara*, but good-bye, farewell, so long forever.

■ *The New Yorker* now has a dress code. Staffers who deal with the public are told to wear Armani and Chanel suits. Tweedy stuff and Brooks Brothers are out. When the ukase came down, the staffers were told that "Tina" wants *The New Yorker* to be "a liberal, media-savvy kind of place." Oh. Get that oaf Thurber out of here. When *New Yorker* writers dressed like rubes and academics, they set the standard for national urbanity. Now they will dress up, and set the standard for mid-Atlantic hype.

■ Recent visitors to the White House were offended by what they saw as "extreme and insulting" measures taken by Secret Service personnel against a minuscule safety risk. President Clinton has apologized for the Secret Service, and said the problem will be dealt with. As we go to press, however, the barricades on Pennsylvania Avenue have not been removed.

■ A study has determined that smoking reduces the risk of Parkinson's disease. Nyah, nyah.

Lost Right?

IN *Lost Rights* James Bovard chronicled typical depredations of federal agencies. Each page represents an American who has faced a rigid, often unforgiving government, at a price in wealth or energy or freedom, or all three. Such encounters serve as a recruiting ground for the panoply of new-wave anti-government groups, from property-rights activists to the county movement in the West to a growing National Rifle Association. It's no coincidence that as government has gotten bigger—trying to do more *for* you by doing more *to* someone else—so has the range and variety of its resisters.

Along with the burgeoning government has come an expanded police power. Law enforcement no longer just means a cop walking the beat. It can mean someone from the Environmental Protection Agency checking to make sure you haven't built a new deck on supposed wetlands. It can mean someone from the Drug Enforcement Administration confiscating your house because a marijuana plant was found growing on the

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back forty. It can mean, as Charles Krauthammer recounted, an FBI agent asking you whether a former employee up for an Administration appointment ever cracked an ethnic joke. It can mean—as we all know—the Bureau of Alcohol, Tobacco, and Firearms barging into your house to investigate some suspected firearms irregularity. Hence, the increasingly uneasy relation between conservatives and law enforcement; it's difficult to support vigorous enforcement of laws that shouldn't be on the books in the first place.

But there's a profound risk in seeming anti-law-enforcement in an American polity that rightly cherishes law and order. The risk is all the greater in the wake of Oklahoma City, which has shone the spotlight on a right-wing fringe—the militias—that seems willing to reject the most basic governmental authority. How should conservatives respond? First, by sticking to their principles. Central government has always posed the gravest threat to liberty, and as Angelo Codevilla points out (page 35), liberals bent on tarring the entire case for limited government with Oklahoma City are engaged in a sinister enterprise. If their logic is taken seriously, they are arguing for the criminalization of a philosophical position, while at the same time seeking to increase the power of the central government to move against it. Even in small doses, this medicine promises only unhappy effects.

The best way to ensure respect for law enforcement, conservatives should insist, is to ensure it for laws. And that won't happen until there are fewer of them. As government has grown, people's respect for it has dwindled. In fact, it has become an object of fear. But all of this fades in the public mind when it sees law-enforcement agents confronting an armed band that has gunned down their colleagues. Whether the case involves David Koresh or Rodney King, officers who daily put their lives at risk should get the benefit of the doubt, regardless of the operational folly of their political bosses.

For conservatives this means taking care about where to draw the line both in criticizing government and in making allies. Freshman Republican Steve Stockman clearly crossed it with his incendiary remarks about Waco and Janet Reno in *Guns & Ammo*. So did G. Gordon Liddy when he encouraged his listeners to expect federal agents to come busting down their doors. The NRA deserves the flak it has gotten for calling ATF agents jack-booted thugs. Finally, most militiamen might be weekend soldiers playing with guns, but others are paranoiacs who scramble their gun-toting friends at the first sighting of a U.S. military vehicle. These lapses on the Right should be criticized from the Right. So it was almost refreshing to hear Republican Peter King of New York (lifetime ACU rating: 87) say of the militias: "They're wackos, they're nuts, they're dangerous, and we should have nothing to do with them."

The pull of these two imperatives—to limit government but not to stand in the way of legitimate law enforcement—is being felt in Congress now over the anti-terrorism bill. The measure has passed the Senate and will soon be considered in the House. In a strange-bedfellow alliance, some conservatives are joining the ACLU in worrying about the civil-liberty implications of the bill. On the strict merits, as Eugene Methvin points out (p. 32), these concerns are excessive. One measure that has gotten particular attention is the so-called roving wire-tap, which would peg a wire-tap to a person no matter what phones he uses. But there is no reason to believe this authority would diminish Fourth Amendment protections; it is the individual who has the privacy right, after all, not the telephones. Also raising concerns are provisions allowing the military to assist in domestic cases involving biological or chemical weapons. But the military involvement would be strictly limited to technical assistance and analogous to the limited role it now plays in the drug war. This sounds merely prudent in a world of technological terrorists, foreign and domestic. Indeed, former Attorney General William Barr—hardly a liberal—calls the legislation "balanced and reasonable."

Still, given the expansive abuses that have occurred with well-meaning legislation like the RICO statutes—originally meant to rein in mobsters, now brought to bear against targets as far-flung as abortion protestors—conservative suspicion is reasonable. Indeed, the current IRS audit of the NRA looks suspiciously similar. Hence, it's difficult to cede any more power to a Federal Government one can't be sure will act within its given bounds.

The short answer is to give law-enforcement agencies the powers they need to protect society while keeping a careful watch on them and investigating abuses like Waco as soon as they come to light. If this sounds ambiguous, well, conservatives are doomed to ambiguity on these issues until government is returned to its proper place, and law enforcement again means foiling criminals rather than harassing citizens.

Courting Trouble

SUPREME Court decisions in two affirmative-action cases mirrored the opinions of politicians of both parties. Judges and lawmakers know that something has spoiled in the refrigerator, but they can't bring themselves to clean it up.

Adarand Constructors v. *Pena* was a case involving minority set-asides in federal transportation projects. One way or another, the Federal Government steers $14.4 billion a year—8.3 per cent of federal procurement—to DBEs, or disadvantaged business enterprises: firms owned by minorities or women. In *Missouri* v. *Jenkins*, the Court reviewed the public-school system of Kansas City, Mo., which might be called sys-

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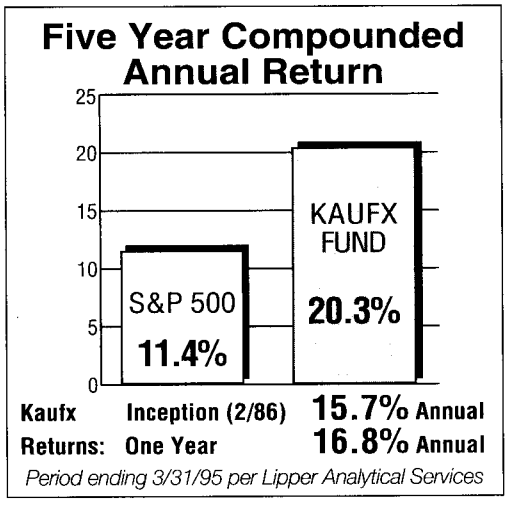

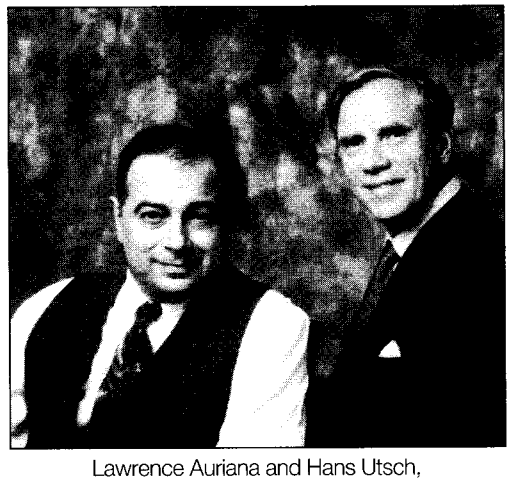

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temic affirmative action. For nearly a decade a federal district judge has commanded the state to spend $200 million a year on the schools of the inner city, to make them equal to the schools of the suburbs.

In each case, four Justices—Stevens, Ginsburg, Breyer, and David He-Did-It-Again—voted to maintain the status quo. Justices Scalia and Thomas wrote concurring majority opinions, calling for a clean slate. "There can be no such thing as either a creditor or debtor race," wrote Justice Scalia of *Adarand Constructors*. "As far as the Constitution is concerned," wrote Justice Thomas, "it is irrelevant whether a government's racial classifications are drawn by those who wish to oppress a race or by those who have a sincere desire to help those thought to be disadvantaged." On *Missouri* v. *Jenkins*, Thomas was even more scathing. Affirmative action in education means that "blacks, when left on their own, cannot achieve. To my way of thinking, that conclusion is the result of a jurisprudence based upon a theory of black inferiority."

But the majority of the majority—Chief Justice Rehnquist and Justices O'Connor and Kennedy—would only urge the race-levelers to be more cautious. Racial "qualifications," wrote Justice O'Connor in *Adarand Constructors*, "are constitutional only if they are narrowly tailored measures that further compelling governmental interests." Chief Justice Rehnquist, in *Missouri* v. *Jenkins*, ruled that the rogue district judge was not applying "the appropriate test," to evaluate the success of his edicts, but Rehnquist's decision did not order his educational fiefdom to be dismantled. In other words, the majority held that reverse discrimination is a bad thing, unless it is done very carefully. It was the equivalent of installing yellow lights on a street that has been taken over by drag-racers.

The judges were echoed by the pols. President Clinton has been trying to find a way of seeming to give the issue a second thought, without actually thinking about it. Newt Gingrich, meanwhile, signaled to Republican reformers, such as Representative Charles T. Canady (R., Fla.), that he was inclined to "hold hearings, but not necessarily to move quickly."

Which means that the decision will be taken by the voters. California will have a referendum on affirmative action in 1996; other states will follow. It is only a matter of time before the congressional elections will in effect become referenda, to be decided by an increasingly fed-up majority. If the GOP doesn't enact the majority's sense of justice—which is also the Constitution's—the electorate will find other agents of its will.

Gephardt Is Not Amused

No longer will the GOP
Be tagged "an iceberg factory,"
With family sizes suited for
(With or without an on-board oar)
Gramps, Grandma, Aunt Maud—you say who,
Because the President just blew
The issue with accustomed flair
By joining Newt on Medicare.

W. H. VON DREELE

Republican Budgets

IN ADVANCING his new plan to balance the budget over the next ten years, President Clinton rejects the lessons of Liberal Budget Math 101: the budget can be balanced only with a combination of tax increases and spending cuts, preferably in defense, and never in entitlements.

Clinton's embrace of a zero deficit, tax cuts, and entitlement reforms marks a seismic shift in the political debate over federal budget policy. In November, the President was arguing that in electing a Republican Congress, voters were expressing frustration with the pace of liberal change. Now, though his new budget plan is largely phony, the rhetorical capitulation it represents acknowledges Republican success in setting the agenda—perhaps for a generation.

But it is also smart re-election politics for Bill Clinton. Abandoning Hill Democrats reflects the political reality of a plurality President seeking majority support in '96. Most surviving Hill Democrats enjoy what Bill Clinton lacks—a safe liberal seat. As 1996 approaches, Clinton's political fortunes will improve in direct proportion to the distance he puts between himself and a hopelessly liberal Democratic caucus. He will position himself as fighting off the mean-spirited excesses of the Republican majority while rising above the special-interest politics of liberal Democrats. This balancing act will be popular in the Senate, where there is no shortage of Republicans eager to stymie Newt. Come next year, Clinton will, in the time-honored manner, run for re-election against Washington, arguing that the public needs to be protected against the extremes of both parties on Capitol Hill.

Before that happens, Republicans can advance their agenda by a judicious compromise—on the question of who keeps score over the next few years. Under the President's budget estimates, Republicans could keep the full tax-cut package as passed by the House without sacrificing their goal of a zero deficit by 2002. In his ten-year plan, the President uses the Office of Management and Budget's estimates of future growth. These are more optimistic than those of Congress's scorekeeper, the Congressional Budget Office, which leave the President with a $200-billion recurring deficit in 2005. Since the CBO is unwilling to recognize the growth effect of tax cuts, Republicans should adopt

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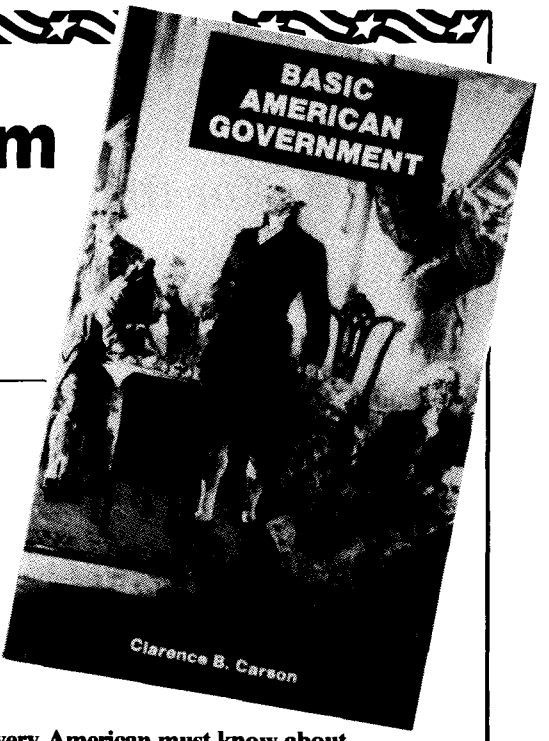

Clarence Carson pulls no punches as he explains why:

> "It would be a considerable fraud to do a book on American government which talked as if the Constitution were still being substantially observed, that pretended that when Presidents took the oath of office they intended to observe the bounds set by the Constitution, that Congressmen recited their pledges with the same intent, and that federal judges were still construing the Constitution as it was written. In sum, any book on American government worthy of the name ought to make clear how remote from the Constitution the government has become."

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OMB's projections, thereby making tax cuts affordable—even for Senator Domenici.

Last Rites for the IRS

THERE is a revolution going on in Washington after all. Anyone who doubts this missed the three days of hearings before the House Ways and Means Committee on replacing the income tax. Chairman Bill Archer of Texas forcefully restated his commitment to "pull up the income tax by its very roots." The Left is apoplectic.

One of Mr. Archer's star witnesses was William Dakin, tax counsel for Mobil Corporation. Mr. Dakin brought along a 76-pound, 4-foot high stack of papers—Mobil's tax returns for 1993. Dakin told the stunned congressional panel: "It takes Mobil 57 man years at a cost of $10 million to prepare these income-tax returns." In a perverse way, our income-tax system has become one of Washington's most successful jobs programs. Historian Charles Adams, author of *For Good and Evil: The Impact of Taxes on the Course of Civilization*, told Congress of the events that led Britain to abolish an income tax in the early nineteenth century. According to Adams: "When the British legislature voted to defeat the income tax, there was the loudest exultation ever witnessed within the halls of Parliament. A motion then followed to have all the records of the tax destroyed." The tax records were burned by the citizenry in a giant bonfire. (Unfortunately, the Chancellor of the Exchequer "kept duplicate copies of the tax records in the basement of the Exchequer Court.")

The debate in Washington is now not so much over *whether* to replace the income tax, as *how*. Republicans are falling into two camps: flat-tax proponents want to eliminate all deductions, abolish the capital-gains tax, scrap withholding, and put in place a flat tax of 17 to 20 per cent with a postcard form that could be completed in, say, 15 minutes. That's the moderate position. Mr. Archer wants to bulldoze the corporate, personal, and estate taxes entirely and move to a national sales tax. Of the thirty or so witnesses before his hearings, only one defended the current tax system—the Clinton Administration witness, Les Samuels of the Treasury Department. Archer asked Samuels repeatedly: "Will the Administration come forward with a tax-reform plan, and if so, when?" Mr. Samuels's roundabout answer amounted to this: No, the White House likes the tax system just the way it is. Even the Democrats winced.

Don't look for the Spirit of '76 in the woods, it's in the House.

Helping Hands

George Washington had Louis.
  The Castros had the Reds.
Chiang (for a while) had Uncle Sam.
  The Irish had hot-heads.
The Bosnians had NATO
  Until the bombing ban,
So, understandably, they've got
  A soft spot for Iran.

W. H. VON DREELE

The Bear at the Table

BORIS Yeltsin's appearance at Halifax was little more than a temper tantrum over Chechnya. It coincided with a bungled "rescue" by the supposedly elite Russian Alpha Group commando force at a hospital in southern Russia where Chechen guerrillas were holding two thousand hostages. After two days of the abortive "rescue mission," Yeltsin opted for negotiations with the Chechens over the hostages, as his G-7 interlocutors had urged.

The West has no direct strategic interest in Chechen independence. Our stake is indirect: Russia's performance in Chechnya is an indicator of its general disposition as a presumably reforming ex-imperialist power. What we have seen is a Russia that is once again flexing its muscles geopolitically (at least within the confines of the old USSR), flirting with authoritarianism, quick to resort to force, and not fastidious about methods. This has obvious implications for Russia's future behavior outside its old borders. The fact that the Russians were incompetent in Chechnya is somewhat reassuring. But no great power tolerates humiliation indefinitely. Already the Russian military is claiming—and getting—a larger share of the national budget. Five years from now, Russia's military posture may be no laughing matter.

The good news is that Russia's desire to become a full member of the G-7 is now less likely than ever to be fulfilled. The G-7 is, after all, the special fraternity of the industrial *democracies*. Chechnya has dispelled most remaining illusions about the nature of the bear. The otherwise boring Halifax meeting may have been a useful field trip.

The G-7 Bails Out

WHILE squabbling over Bosnia and trade policy, the world's richest nations managed to agree on one idea—a global economic bailout fund. The fund, managed by the International

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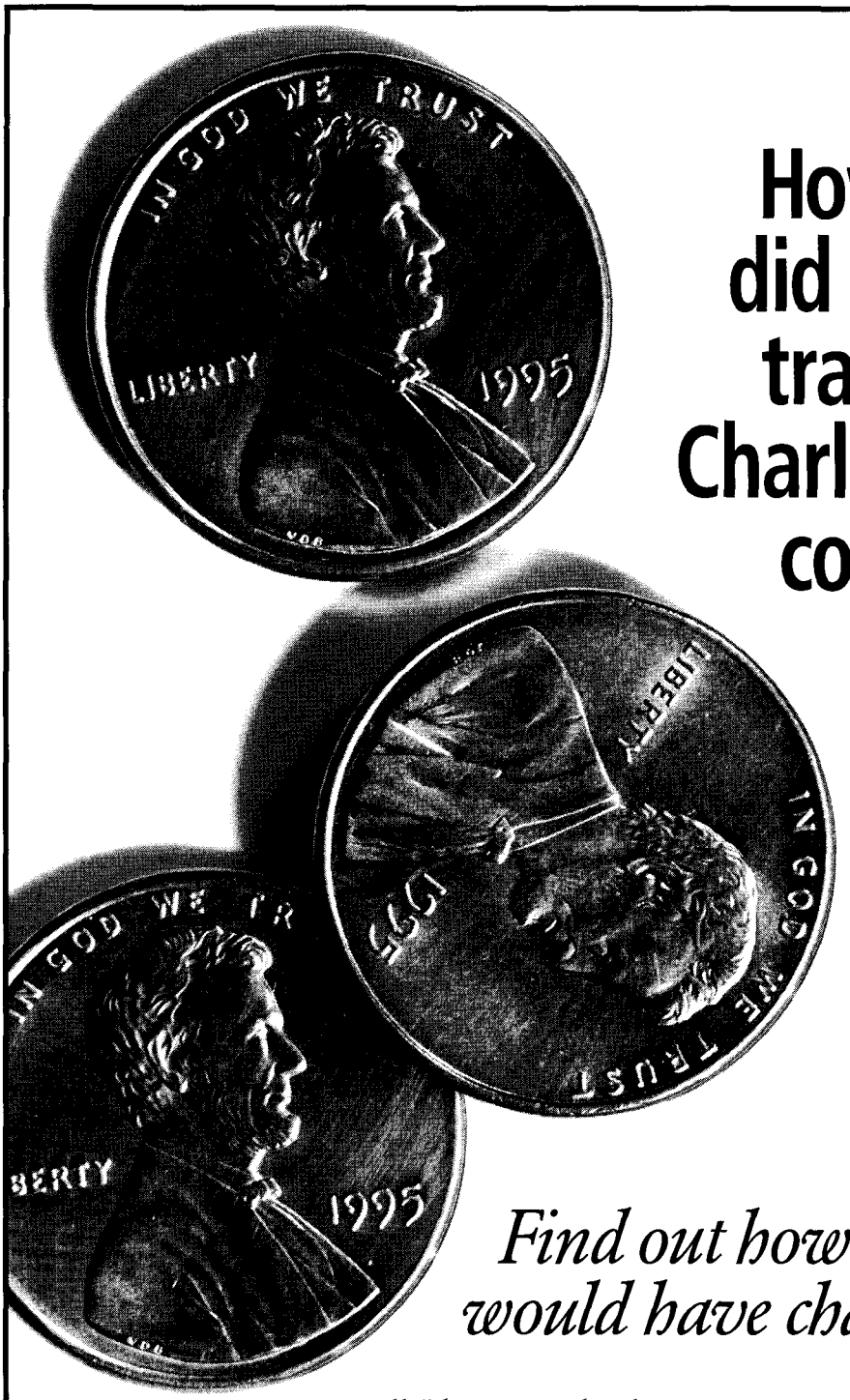

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Monetary Fund, would provide instant cash to countries facing Mexican-style currency meltdowns. Such aid would not be free of strings: countries that deliberately strayed from "acceptable" economic policies in order to receive funds would not be eligible. To its credit, the G-7 admits the moral hazards involved in offering an open-ended entitlement.

Sharing this burden with other industrial nations is at least better than the sort of unilateral rescue effort rammed through by President Clinton for Mexico. The Halifax proposal requires that nations disclose a great deal of financial information they now keep secret or release much later. But, as *NR*'s Ed Rubenstein points out, the economics of the scheme are still questionable. Consider the numbers. Currency trading has grown by more than 50 per cent over the past four years, to an estimated $1 trillion per day. At the same time, the total funds stockpiled by all central banks in the world to stabilize their currencies amount to just $1 trillion, or one day's worth of trading volume. So even if all of it were made available for emergency borrowing, the task would be quite impossible. In fact, the G-7 is willing to risk only a "mere" $50 billion for the new credit facility.

The idea is to prevent a replay of the Mexican crisis. There is a widespread perception that the bailout orchestrated by President Clinton and the IMF is working well. It isn't. The peso collapse wiped out more than 40 per cent of Mexico's economic wealth. In 1994 Mexico's GDP totaled about $350 billion; today it has shrunk to $240 billion. Although interest rates range from 60 per cent to more than 100 per cent, Mexican inflation will exceed 30 per cent this year. The peso remains worthless, and U.S. taxpayers will likely shell out far more than the $20 billion already pledged.

Although stable currencies benefit developing economies, international aid is not the way to achieve them. The key lies in sound domestic monetary policy. Mexico erred in printing too many pesos during 1994, an election year. The central bank should have soaked up the excess pesos by selling off assets such as government bonds. The Federal Reserve does this every day. So do other central banks; there's no rocket science involved.

The problem is that central bankers are often under the thumb of politicians. There's a way out, however. Simply convert the central bank into a currency board such as those that now exist in Hong Kong and Argentina. Under a currency board, all currency growth has to be exactly matched by an expansion in foreign-exchange reserves, guaranteeing that the currency is fully convertible. Argentina endured inflation of 2,300 per cent in 1990, the year before it established its currency board. Today Argentina's inflation rate is under 4 per cent.

Currency boards lack the glamor and excitement of bailouts. But make no mistake about it, bailouts are never what they seem to be. Messrs. Clinton and Rubin claimed to have the Mexican people on their minds, but the real winners were the American banks, mutual funds, and pension funds that held the debt and securities the bailout saved. The American taxpayer came in a distant last. That's where he'll come in under a global bailout fund.

Lost in the Woods

THE nation had something to cheer about when Air Force Captain Scott O'Grady, whose F-16 was shot out of the sky over Bosnia on June 2, was rescued six days later by a daring helicopter raid by U.S. Marines. The heroism of all concerned was genuine. Less admirable was President Clinton's blatant exploitation of Captain O'Grady's rescue to salvage public support for the bankrupt policy that had put the captain in harm's way in the first place.

The cause of the shootdown was not just an intelligence failure or a failure to communicate timely intelligence to the pilot. It was a *political* failure, at the highest level.

It has been known since November that the Bosnian Serbs had acquired anti-aircraft missiles like the high-speed mobile SA-6 that hit O'Grady. The missile threat, indeed, had caused NATO to cancel air drops of humanitarian relief supplies late last year. Since that time, the U.S. Air Force has been arguing to the Joint Chiefs of Staff that NATO ought to eliminate the missiles as a threat to its "peacekeeping" operations. In northern Iraq, for example, U.S. air patrols like O'Grady's are accompanied by a robust capability for suppressing hostile air defenses by electronic jamming and radar-destroying counter-missiles. In Bosnia, however, at UN insistence, the Air Force's requests were repeatedly denied by higher authority, for political reasons, as an unacceptable "escalation." Until now, that is. The rules of engagement have been changed in the wake of the O'Grady drama.

The captain won cheers with his tale of resourcefulness and his forthright declaration of religious faith. Given all the self-defeating restraints that remain in the Western powers' Bosnia policy, nothing short of divine intervention will avert future losses of American or British or French lives. Captain O'Grady, once lost in the woods, has been rescued. The same cannot be said of his Commander-in-Chief.

John Finley, RIP

JOHN H. Finley Jr., a relic and type of Harvard's ancestors past, died last week. Scholar, classicist, and Master of Eliot House from 1941 to 1968, Finley brought Harvard's house system to its pinnacle

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by investing Herculean effort into selecting each freshman who applied to live there. Master Finley defined the principles of a Harvard education in his 1946 "General Education in a Free Society." He expected the best from his students, and so they delivered it (a lesson in an age where grade inflation and personal-esteem enhancement predominate). A generation of men were molded by Finley and the college that he loved. *Atque in perpetuum, frater, ave atque vale.*

Notes & Asides

■ Dear Bill:

In response to your invitation to rationalize the naming of the clintonia ["Notes & Asides," Feb. 6], I respectfully tender the following:

A fitting symbol for slick Willy
Is the clintonia lily.
Its yellow petals call to mind
His unrelenting search to find
A respectable prescription
To immunize him from conscription.
When its petals are pure white,
They signify his noble flight
From temptation to carouse
And violate his marriage vows.
Finally its berries blue
Match the moribund complexion
Of Madison which, sad but true,
Was bled to finance his election—
A fatal loss which, even worse,
We were obliged to reimburse.

Cordially,
[Anonymity requested]
[Granted]

■ Dear Mr. Buckley:

clin-to-nia: Offshoot of Gilded Lily—customarily cultivated in red clay. Toxic.

Sincerely,
Manetta Calkins
Chicago, Ill.

■ Dear Mr. Buckley:

As your greatest fan (I even have the sailing tutorial on videotape), I feel obliged to alert you to the traitorous aspersions of some of your most conspicuous intellectual progeny.

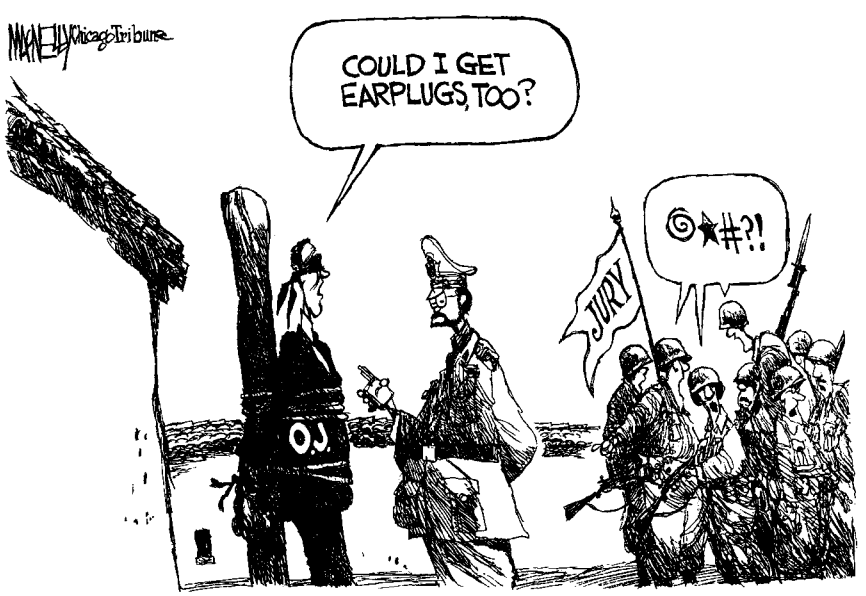
At the CPAC Convention in Washington, D.C., I was introduced to the new student leaders of Young Americans for Freedom. They are without exception card-carrying members of the John Birch Society, the mindless sect to which I thought you had administered the *coup de grâce* several decades ago. Apparently not; one of the members of the national board informed me that the JBS now boasts 350,000 members nationwide. Still indignant at Mr. Welch's expulsion from the conservative movement (even though none of us were yet alive when it happened), they reviled you for your membership in the CFR, support for the Brady bill, etc.

I pointed out that while one may disagree with particular positions held by leaders of the conservative movement, it is nevertheless prudent to recognize who one's friends are. Furthermore, I told them, Mr. Buckley is not only a friend of the modern conservative movement, he is arguably its progenitor. This line of argument did not blunt charges having to do with your "squishiness"—a favorite epithet of us young conservatives, denoting those who refuse to plant their feet firmly in the ideological camp.

Ironically, the aforementioned anti-Buckley YAF leaders led the assembly in a reverent recital of the Sharon Statement, which to me is on the order of a religious gathering asseverating the Apostles' Creed and then denouncing Christ as a heretic.

Respectfully,
Stephen L. Andrew
Washington, D.C.

Dear Mr. Andrew: Thanks for the report, but one wouldn't want to leave the impression that the primitives you mingled with represent YAF nationwide. Incidentally, anybody who believes the John Birch Society has 350,000 members could believe that Eisenhower was a secret Communist. Cordially, **—WFB**



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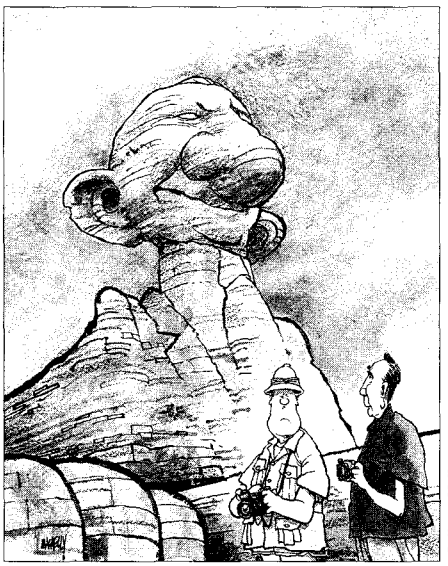
ON THE SCENE

Party Crashers

RICH LOWRY



Jeff MacNelly

WASHINGTON, D.C.

"I THINK we have a phenomenal opportunity," says long-time conservative activist Howard Phillips. "I think we could elect a President in 1996." And he's not talking about the Republicans. Phillips likes the chances of his U.S. Taxpayers Party, founded in 1992 (it made the presidential ballot in 21 states) and dedicated to the proposition that any compromise of conservative principle is a vice. "Our hope," he says, "is that events will unfold in such a way that the wisdom of our approach is ever more evident."

Don't snicker. In the wake of Ross Perot's strong showing in 1992, outlandish presidential scenarios, especially those involving an end-run around the established parties, are close to going mainstream. Respected Eisenhower biographer Stephen Ambrose retired two years early from the University of New Orleans to devote his life, unsolicited, to drafting General Colin Powell for President. His partners in the effort: two aging veterans of the 1951 draft-Eisenhower movement, convinced history can be made to repeat itself. Ambrose would prefer that Powell run as a Republican, but would support an independent bid.

There's little doubt the public is yearning for a new political look; an April Times-Mirror poll found that 57 per cent of Americans say they want a third party, up 4 points from last year. Which means potential trouble for Republicans. President Clinton seems to have settled at about his 1992 level of support (43 per cent). His hopes for reelection, then, hang on knocking Republicans below that mark, a task mathematically impossible without help from a "Taxpayer" candidate, an independent Colin Powell, or some other free agent. "One of my greatest fears," says Bob Dole supporter and former Reagan offical Don Devine, "is we get a three-candidate race and one of them isn't Jesse Jackson."

Jackson eats into Clinton's base, but almost any other candidate chips away at the Right or the broad Center where Republicans make their home. So Republican strategy has to be to encourage a Jackson run—hammering away at affirmative action, especially—while protecting the party's Right with earnest attention to the social issues and the Center by attacking the Perotista issues of the deficit and government reform. GOP chances depend on what doesn't happen almost as much as what does—on whether they can spoil the opportunites for the spoilers.

Long-time activist Paul Weyrich, now president of National Empowerment Television, marveled at the third-party interest from social-issue conservatives this spring. "There's open talk about it," he said at the time. "I've been at several meetings recently and that's all these people want to talk about: 'We have to stop trying to beat our positions into stupid Republicans who don't understand what we're talking about. We should have somebody who represents our own values.' " Weyrich devoted his April 19 "insider" letter to warning of a possible new party: "the signs are everywhere."

But, at least on the Right, this feeling has dampened somewhat. Earlier in the spring, Focus on the Family head James Dobson was firing off missives to Republican National Committee Chairman Haley Barbour warning that Christian conservatives couldn't be taken for granted and to Phil Gramm excoriating him for shying away from the social issues. Since then, Gramm has avowed his faith to the social agenda in a Liberty University speech and front-runner Bob Dole one-upped him in Hollywood. Both campaigns ran drafts of their speeches by Family Research Council president Gary Bauer, who had joined in Dobson's complaints. Dobson himself gave Gramm a post-Liberty pat on the head.

Stoking serious unrest on the social issues right now seems to depend on mishandling abortion. One way to fumble would be to give Pete Wilson, Christine Todd Whitman, or William Weld a spot on the ticket. But conventional wisdom now doubts that will happen. The other would be to pull out the plank in the GOP platform calling for a constituional amendment banning abortion. But here too momentum has swung the pro-lifers' way. Alternative language proposed by Bill Kristol and George Weigel (see *NR*, August 15, 1994) has little appeal for the grassroots, and the current language is likely to have ample protection at the 1996 convention. Phyllis Schlafly's Republican National Coalition for Life is recruiting convention delegates who are robustly pro-life, and the Christian Coalition will be undertaking a massive effort to make its supporters delegates.

Even if Republicans do blow it, any independent social-issues challenge needs a viable candidate. Pat Buchanan seems the only high-profile possibility—and he has motives to run beyond the social issues. Buchanan is likely to have problems with any Republican candidate (apart from himself) on issues related to his economic nationalism. "I think he believes that he can lead a movement that's in orbit around

Mr. Lowry is NR*'s national political reporter.*

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his central ideas, which aren't about to be embraced by either party," says American Conservative Union chairman and Dole supporter David Keene. "And he thinks there are a lot of votes out there for him."

Howard Phillips has felt Buchanan out on a third party bid, as he did in 1992. "At this point he's not interested," says Phillips. "I would say his body language is a little bit better this year."

The trouble is, as Buchanan runs an increasingly credible campaign in the Republican primaries, he has more of a vested interest in the party. He may get third-party proddings from advisors more inclined that way than himself, but bolting the GOP is likely to run against Buchanan's grain. Back in the early 1970s, when frustrated conservatives were exploring a third party, Buchanan was firmly on the Republican side of the fence. In 1992, an ideal year to bolt, he brought himself to back Bush. In 1996, there will be fewer temptations, as any nominee is likely to sound more like Pat Buchanan than George Bush.

If the Right holds for the GOP, will the Center? Republicans have a tougher time controlling the answer to that question. A variety of candidates could spring up in the middle. In Connecticut, former Republican Senator and independent Governor Lowell Weicker seems to be spoiling to run, although he'll have trouble marshaling the financial resources needed to get on state ballots. Former Democratic Senator Tsongas has talked of Powell running as a third-party candidate. But given the sharp Republican attacks on the deficit—the main centrist issue—it's tough to see a gaping hole in the middle, especially if the GOP nominee is Bob Dole. "I just don't see it this year," says former Republican Senator Warren Rudman, who shares leadership of the Concord Coalition with Tsongas.

Ross Perot should be dissuaded from running for the same reasons, but may not be. After Congress passed GATT in December, he threatened to form a third party. Since then, United We Stand state organizations have been investigating the arduous procedures for gaining access to the ballot and sounding out the third-party sentiment among their activists. In August, state representatives will travel to Dallas for a three-day conclave that will feature about every major political figure in America, except perhaps President Clinton. After listening to the best that Republicans and Democrats have to offer, the members will break off into discussions about the future of their movement.

"That seems to be the quick answer, is a new political party," says United We Stand executive director Russ Verney. "But when you get into trying to measure it then some of the other options become equally viable. Such as working within the Republican Party, and working within the Democratic Party. . . . There's the option of running independent candidates instead of a new political party. There's the option of remaining the enormously successful swing vote that United We Stand America has been for the last three years."

Since Perot's animus against Clinton rivals his hatred for George Bush (Ann Richards got a Perot endorsement, based mainly on the qualification of running against one of George Bush's sons), it makes little sense for Perot to run again. "If Perot runs we'll re-elect Bill Clinton," says Orson Swindle, a Perot spokesman in 1992. But Perot watchers note that executive director Verney moved to his current position from being chairman of the New Hampshire Democratic party in 1992, and realize if Perot wants to run there's little to be done to stop him. "Whenever you get in there telling him what he should do, you've made a mistake," says a Republican official.

The good news is that Perot is a less compelling figure these days. "I think the Perot people have transcended Perot," says Kellyanne Fitzpatrick, president of the new Polling Company. That phenomenon has been playing out in microcosm in Perot's state organizations. Arizona executive director Mary Lou Stanley has the distinction of being fired twice by the national orgnization in Dallas, first in March, then in early June for a comment in an AP story. The Arizona state board has hired her back as state director. "They have in my opinion a top-down and military mindset," she says of the national headquarters. Ohio chairman Debbie Taylor agrees: "It's a feeling you get you're being ignored." So here's some consolation: the notoriously disgruntled public may not even like its third-party options. □

The Lady's Not for Burning

JEFFREY CHRISTENSEN

HARTFORD

WHEN Connecticut's newly elected Republican governor, John Rowland, nominated Kay Wall, a proponent of high academic standards and local control of the schools, to the State Board of Education, he gave a voice to a long-neglected majority of Connecticut residents. He also tripped the detonation wire of the educational establishment's disinformation network. Within hours, opposition phones, fax machines, and presses were humming with defamatory "background information." Less than three weeks after her name was announced, Mrs. Wall had been Borked. She withdrew her nomination, stating that the opposition had made the issue "who I am" rather than "what I stand for." Most importantly, "who she was" was a wholly fabricated demon—market-tested for political failure.

Kay Wall, a market research executive turned volunteer community leader, successfully led a grassroots campaign that helped defeat ex-Governor Weicker's bid to strip local school districts of control over management and curriculum. Proponents claimed the "school restructuring" bill would "increase local control." But Kay Wall blew the whistle on the centralizing power grab beneath the populist façade. This won her the enmity of what Bill Bennett calls "the Education Blob": those with a vested interest in the nearly $400-billion-a-year educational status quo.

As a Greenwich PTA member, Mrs. Wall first saw how educators can disguise an agenda they know would be rejected if clearly presented to parents. "The superintendent's office proposed a '21st-Century Vision Statement' that made no mention of anything aca-

Mr. Christensen writes on economic and social issues.

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demic," she said. After a petition drive forced the goal of "fulfilling the academic potential of all children" into the statement, the superintendent decided not to propose the goals as policy.

Perplexed, Mrs. Wall traced the problem to its roots and discovered an educational philosophy, methodology, and political agenda called Outcome-Based Education (OBE). OBE puts "cooperative" group learning ahead of "competitive" individual achievement, teaches nebulous social and behavioral "outcomes" like "promote . . . interpersonal well-being," and holds back high achievers by requiring them to teach slow learners before they move on themselves. So she co-founded Save Our Schools (SOS) to alert parents to OBE's true implications.

Then in 1993 Governor Weicker proposed to institutionalize the OBE dream with a massive state takeover of local schools, claiming his "World Class Education" bill would produce a "21st-century workforce." Mrs. Wall and her SOS colleagues began speaking to parents statewide about "the truth behind the motherhood-and-apple-pie rhetoric." Proponents of the bill, meanwhile, clinched the support of the Connecticut Business and Industry Association, which contributed an estimated $4 million to underwrite an advertising blitz. One ad read, "Join Us in Support of World Class Education in Connecticut," and listed a veritable *Who's Who* of executives from IBM, Xerox, Union Carbide, GE, and other Fortune 500 companies in Connecticut. That so many industry leaders could be co-opted into supporting an egalitarian, state-centered bill reveals the sophistication of the educational establishment.

Just how the establishment operates became clear in the case of Kay Wall. State Senator Kevin Sullivan set the tone: "Mrs. Wall and her SOS colleagues have demonstrated in no uncertain terms an agenda of high-tech, educational witch hunting and a self-avowed war on government." He added that she was "dangerous" and "unrestrained either by truth or tolerance." The *Hartford Courant*, Connecticut's highest-circulation newspaper, labeled her "a right-wing ideologue" and "a zealot," who would "dumb down the Board." Liberal legislators, editorialists, and reporters called her "mean-spirited," a "religious fanatic," and part of "the religious Right"—curious appellations for a Unitarian.

More damning yet was this simple fact: she is white. The *New York Times* intoned that "Governor Rowland has displayed appalling insensitivity" because he nominated "a slate with too few minorities and not enough talent." They singled out Kay Wall as "a divisive figure with little concern for the problems of city schoolchildren." State Senator Toni Harp, a member of the Black and Puerto Rican Caucus, said that if the Rowland administration was "truly color blind, this would not have happened." Mrs. Wall "brings a very limited perspective to education," Senator Harp later added, and "she comes from a community that is not diverse." Senator Sullivan felt that, in place of Kay Wall, the Board really needed "a black."

Testifying before the Executive and Legislative Nominations Committee, Westport Superintendent of Schools Paul Kelleher complained that Mrs. Wall "has inaccurately labeled OBE as 'multicultural,' a term which invokes racial fear in some people." He then invoked racial fear by accusing Mrs. Wall of "using code phrases like 'disruptive students' . . . to propose practices that would deny equal educational opportunities by segregating some students . . . by social class and race."

The official testimony against Kay Wall was a testament to Blob solidarity. Donald Rettman of the Connecticut Gay and Lesbian Anti-Violence Project feared it was "backed up . . . by religious-Right organizations." People for the American Way weighed in about Mrs. Wall's "indiscriminate attacks on all explorations of genuine educational reform as the dumbing down of the curriculum." And claiming to represent the Connecticut Association of Boards of Education Patrice McCarthy opined that Kay Wall "does not [offer] any positive solutions to the problems our schools face."

Nothing could be further from the truth. State Representative Tim Barth, a leader in the school-choice movement, is convinced that "Kay Wall is the Newt Gingrich of education in Connecticut. She's a revolutionary and she has vision into the future. She's got brains, she's got ideas, she's got facts, and the pro-establishment legislators were scared to death of her."

Mostly, when people use words like "revolutionary" or "visionary," Kay Wall shrugs her shoulders. She'd like to see the system changed, sure. And she's got a vision as to how best to restructure it. "Most people who hear me speak don't think my ideas are radical," she says. "In fact, many think they always had the reforms I'm advocating." That's because they weren't consulted when educational standards were taken away.

Kay Wall has no hidden agenda, no need to speak in codes. Her most effective weapon is open debate. Her opponents couldn't talk straight when they destroyed her nomination. But they paid her a back-handed compliment when they showed how far they'd go to silence her.

But the lady's not for burning. With parents increasingly concerned about the schools, time is on her side. Sooner or later, the educationists will have to debate the issues with Kay Wall. □

Close Encounter

ANDREW STUTTAFORD

ROSWELL, New Mexico, is, as its postcards say, in the middle of nowhere. A hundred miles from the Texas border, this dusty small town is far removed from the chic of Santa Fe and Taos. Once an Air Force town, Roswell's buzz-cut traditions still flourish at the New Mexico Military Institute. Traditional values find further inspiration from the Ten Commandments, carved on a slab just outside the court house—on Main Street, of course. Nearby are a gunsmith, two wedding shops, a shoe store, and, perhaps more surprisingly, The International UFO Museum and Research Center.

Five miles up the road, just across from the old Roswell Army Air Field, is The UFO Enigma Museum. In July 1947, the air base played a central role in the "Roswell Incident," a series of peculiar events that explains why this obscure Southwestern city of fifty thousand people is the site of not one but two UFO museums.

The story of the 1947 events is con-

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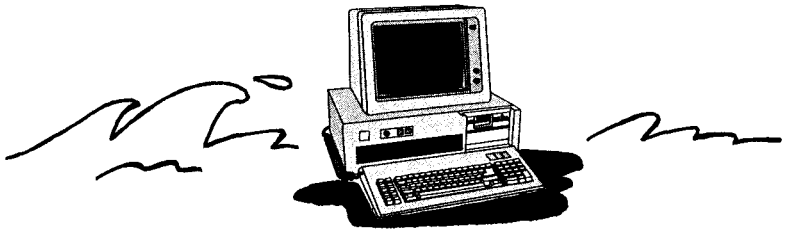

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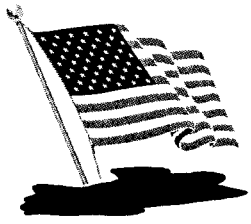

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troversial, strange, and, some would say, highly exaggerated. The only area of agreement is that a team from Roswell Army Air Field retrieved some odd-looking wreckage from a remote ranch north of Roswell and, after examining it, announced that they had been "fortunate enough to gain possession" of a "flying disc." The debris was quickly taken to Eighth Air Force headquarters in Fort Worth. There, standing amid what appeared to be shredded tin foil, base commander General Ramey explained that the wreckage was that of a weather balloon. The story died. Ramey, in the brutal words of the *Roswell Daily Record*, had "emptied" the saucer.

But not completely. In the late 1970s, some of the participants began telling tales of a crashed saucer and a government cover-up. They found a ready audience in a public that remained fascinated with UFOs. *Close Encounters of the Third Kind* had just been released, and events in Washington, D.C., a few years earlier had left people all too willing to believe in a "cosmic Watergate."

The story has grown and grown. It now includes crashed saucers, alien spacemen (dead and alive), and mysterious government hangars. The official explanation has shifted only slightly, from weather balloons to a once highly classified project to use balloon-borne sensors to detect Soviet nuclear tests.

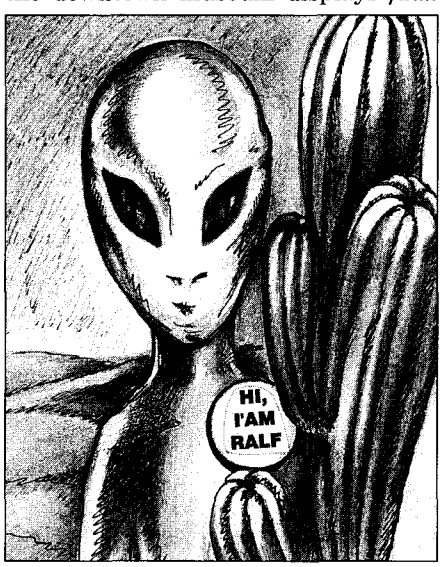
The bibliography is as vast as the facts are scarce. Inevitably, Roswell obsessives have discovered the Internet. *Roswell* is also a film, starring Kyle Maclachlan and Martin Sheen, and a leitmotif of Fox-TV's spookily effective *X-Files*. Roswell T-shirts are on sale in downtown Manhattan. Even some congressmen have expressed interest.

Under these circumstances, the presence of a UFO museum on Main Street should be no surprise. The museum lies behind an unassuming storefront, unremarkable but for the small extraterrestrial figure waving through the window. Inside, the atmosphere is more *Our Town* than *Alien*. There is no hint of New Age. It is, well, "scientific." Visitors seemed slightly subdued as they wandered through the exhibit with a mixture of enthusiasm, curiosity, and embarrassment.

Walter Haut, the Air Force officer who gave out the 1947 press release, was on hand, as was Glenn Dennis, the mortician said to have talked to a nurse who supposedly saw the alien bodies. Today they serve on the museum's board. Likable sixty- or seventy-somethings, they autographed books and teased each other about their longevity.

Visitors are asked where they come from and, if it is suitably exotic, to mark the appropriate spot on a large map with a pin. "We have had," I was told, "50,000 visitors from 52 countries," but, alas, from only one planet.

Both museums bravely ignore the significant problem of having, strictly speaking, nothing to exhibit. This is a *Hamlet* without the Prince, Ophelia, or even poor Yorick. The wreckage and alien corpses have long gone, if they ever existed. UFO Enigma does, however, have an old windmill shaft "found . . . at UFO debris field," while the downtown museum displays *faux*



wreckage—authentic replicas of the saucer debris.

Life-size model aliens are also on view. At UFO Enigma, little grey corpses are scattered around a saucer wreck. Downtown, an alien is subjected to a grisly autopsy. A colleague of his, an enigmatically smiling individual known as RALF ("Roswell Alien Life Form") fares better: for $2.50, visitors can be photographed with him.

Most of the rest of the exhibit is a collection of photographs. Some are acknowledged fakes, "hubcaps" suspended *à la* Ed Wood. Others, it is conceded, are nothing more than a trick of the light, a star, an airplane, or even one of those ubiquitous weather balloons. However, some remain maddeningly inexplicable, blurry will-o'-the-wisps that tantalize the faithful and torment the skeptical.

Alongside the photographs hangs a series of newspaper clippings. These include the startling revelation that "Twelve U.S. Senators are Space Aliens" (rest assured that the article predated the November elections), as well as the more familiar accounts of lights in the sky and blips on the radar screen. A "Bulletin of North American Sightings," unfortunately dated April 1, 1994, is stapled to the wall. A "football sized" object had been seen in the skies over Gastonia, N.C., while "John" had been abducted again in Yuma.

Above all, the museums offer an insight into UFO subculture, a strange world of fiercely competing beliefs. The Roswell museums tend to ignore ufology's mystics, instead catering to the more scientifically inclined. Theirs is a world of grainy photographs and a frantic search for the one unchallengeable piece of hard evidence. Others prefer a particular specialty, such as alien abduction, animal mutilation, or the sinister "men in black." There is even one determined unbeliever, who each month fires off a savage *UFO Skeptics Newsletter* from Washington, D.C.

This is no small fringe. A 1991 poll found that 7 per cent of adult Americans had seen a UFO—and the number of believers is far larger. The phenomenon is worldwide and, it would seem, growing. There are societies, books, magazines, conferences, "900" numbers, videos and film festivals, even support groups for the victims of alien abduction. None of this is enough, however. Any creed needs holy places where the faithful can congregate. Ufologists are no exception, and, Alpha Centauri being rather far away, Roswell may fit the bill. There are rivals, such as Sedona, Arizona, but Roswell has something they do not: it remains the only place where Uncle Sam has ever admitted, if only for a few hours, finding a flying saucer.

To a Roswell increasingly aware of the economic potential of the Incident —especially as the fiftieth anniversary approaches—this will be just fine. Visits to the "UFO impact site of 1947" are on offer. There have been "UFO Awareness" months. Just as Albuquerque has its balloons and Deming its duck race, so Roswell (a city official once explained) has its UFOs. Perhaps, at last, Roswell has found its deus ex machina. □

Mr. Stuttaford is an investment banker based in New York.

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Why Do They Do This to Our Noble Pope?

Let's face it: No one really hates, say, the Methodist or Presbyterian churches, but the Catholic Church *is* hated. As Harvard historian Arthur Schlesinger Sr. noted, prejudice against the Catholic Church is "the deepest bias in the history of the American people." Today it's not acceptable to hate blacks, Jews, homosexuals, et al., but it's O.K. to hate the Church, especially the Pope, as well as Catholics who refuse to be politically correct. Perusing the media makes this amply clear. No, it isn't fair, but then our Lord was hated, so we shouldn't be surprised.

But what's truly painful is the way certain Catholics have fallen into self-hatred: They are "cultural Catholics" who loathe much of what the Church stands for, especially teachings that are difficult or inconvenient. They're very vocal, and get lots of attention from the media.

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RANDOM WALK

REMEMBER those WW II submarine movies from the Forties and Fifties? When I think of my short-seller friends, the scenes that come to mind are of the submariners sitting on the ocean floor waiting out the depth-charge attacks from the Imperial Navy. The crew, sweating from the Klieg lights and lack of oxygen, grimly scrambles to plug the leaks as the clock ticks toward doom.

It's astonishing how the short-selling world can be so wrong in so many markets at the same time. The U.S. stock market is predicting a strong economy, the bond market a weak one, the copper market a very strong economy, the Baltic Freight Index a weak one. But shorts are on the wrong side of each of these markets.

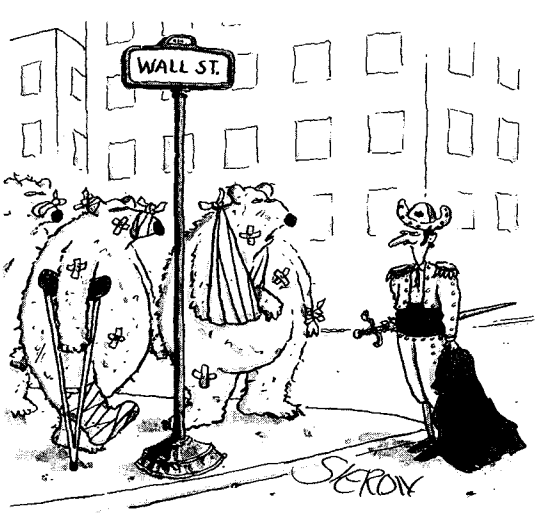
So I went to a couple of my favorite bears, Jim Grant of *Grant's Interest Rate Observer* and Jim Bianco of Arbor Trading, and posed this situation: We're in a sub on the bottom of the Tsushima Strait. Above is the Imperial Navy destroyer *Magellan Fund*, captained by Jeff Vinik (played by Toshiro Mifune), dropping depth charges/buy orders on our frail sub/short fund. A torpedoman/portfolio manager (played by John Garfield) starts to crack. You, as chief petty officer (played by Wallace Beery), slap the torpedoman to snap him out of it. What words do you add to the slap?

Jim Grant considered the question seriously. "I'd tell him that Captain Vinik will run out of depth charges in four to six weeks." But he was much less certain that the beleaguered short-sellers would be saved by a recession. "The stock market has predicted recessions that didn't happen, but it hasn't failed to predict one that did happen in recent years." No, not since 1929.

Jim Bianco's admonition to the panicked short-seller would be: "We're still here, aren't we?" Like Jim Grant, he figures that the mutual-fund managers will run out of depth charges in the next month or two—then look out below. "These are markets entirely driven by liquidity, not value."

■ If short-sellers are among my favorite people, my least favorite are those bag-carrying Special Assistants to the Great Men of Washington. If the Bill Clintons are the student-council presidents, these people are the teacher's pets, the snitches, the future "sherpas" at summit conferences. They help old ladies across the street—rich old ladies, when someone else is watching. Retribution usually doesn't come for decades, not until the older men they've sucked up to have retired and they have to face the judgment of their peers. Remember Richard Darman, the Grand Vizier of the Bush Administration? He's a mere managing director of the Carlyle Group in Washington. MD sounds good, but at the Carlyle Group, vice-chairmanships go to mailroom people. Mr. Darman chose not to give an interview to NATIONAL REVIEW.

Another call-dodger was the once highly visible Roger Altman. Roger is returning to New York this month to set up his own company. He left his deputy-secretaryship of the Treasury after his Whitewater testimony went over like a concrete parachute; his resignation was effective in August. The talk then was that he could return to a seven-figure job at his old Blackstone Group offices, but . . . it didn't work out. There was talk of an unpleasant scene at a Blackstone dinner Altman attended, jokes at his expense, a demanded apology. . . whatever. No million-buck paycheck. Welcome to the entrepreneurial world, Roger. Don't worry—all those people you met on the way up remember you.



"It's about time you got here."

■ The bond vigilantes have left another body dangling from the market's gibbet—Swedish Social Democracy. The Social Democrats, elected last fall on the political failure of a pain-is-good-for-you conservative coalition, have croaked out "No más" after a severe whipping in the bond markets this spring. The spread of Swedish 10-year paper over the comparable German bonds reached nearly five hundred basis points before the bond-friendly technocrats in the Finance Ministry and the Riksbank got hold of the policy keys. Then followed a supplemental budget and a "convergence plan" for financial union with the rest of Europe that coaxed foreigners into buying another 21 billion kroner worth of Swedish bonds.

The budget cuts won't cure all Sweden's ills, but as one Danish bond investor says, "They have the wonderful effect of splitting the Swedish Left into squabbling factions. And now the government realizes that we can torture it into submission with high rates every time they deviate from the right course."

■ The one economist who actually made money for me in the past year was Susan Sterne of Economic Analysis Associates. A consumer expert, she called the downturn in consumer spending and, therefore, interest rates. What does Susan see now? "We don't get out of slow to negative growth until the second to third quarter of next year. I'm projecting just 0.6 per cent growth for '96." Historically, you need at least 2.5 per cent for a presidential re-election. Sorry, Bill. —GEKKO

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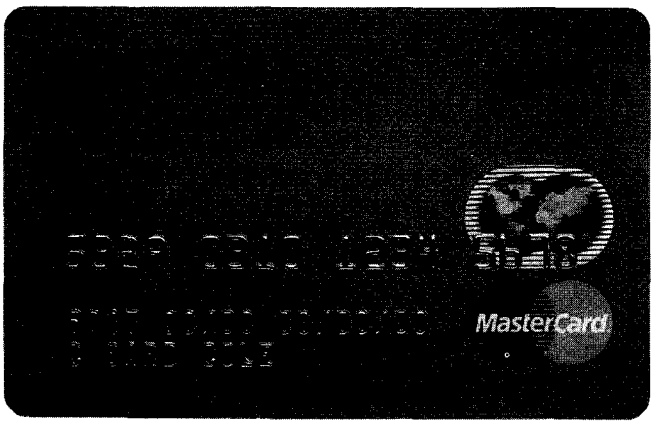
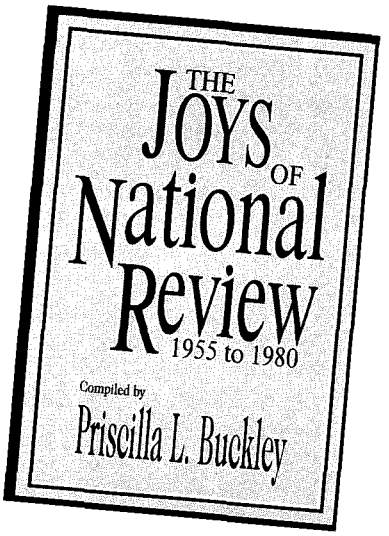
WHEN WAS THE LAST TIME A CREDIT CARD BROUGHT YOU JOY?





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A Debate

ANTI-TERRORISM: HOW FAR?

We have a right to protect ourselves from terrorists. To do so, Eugene H. Methvin argues, we need surveillance and infiltration. Angelo Codevilla warns of the dangers of these methods in the age of Janet Reno. And Jared Taylor recounts a dubious incident from the good old Hoover days.

EUGENE H. METHVIN

LAST February, a former leader of the Michigan Militia, Eric Maloney, visited the FBI and warned that Timothy McVeigh and the Nichols brothers had attended a "special operations session" three months earlier where they talked about blowing up buildings. Maloney told Brian Ross, an ABC News investigative correspondent, that the FBI turned a deaf ear. "I told them that if they didn't act on this, a whole lot of people are going to get killed," Maloney said. But the FBI was not interested because "there was nothing they felt they could do."

In the shadow of the Oklahoma City bombing, the campaign to keep America safe for terrorists revived. Rescuers were still digging victims out of the rubble when liberals leaped to their pulpits to warn against reviving the FBI's "domestic spying." They thus continued a twenty-year campaign that has destroyed the nation's domestic intelligence capacity and left Americans pathetically vulnerable to atrocities like the one in Oklahoma. They have erected a false mythology about the agency's past alleged sins. Thus the *New York Times* wailed about the FBI's and CIA's "brazen violation of American freedoms" and "contempt for the Constitution."

FBI Director Louis Freeh did mount a modest defense of law enforcement's preventive role. In testimony before the Senate Judiciary Committee he complained: "For two decades the FBI has been at an extreme disadvantage with regard to domestic groups which advocate violence. We have no intelligence or background information on them until their violent talk becomes deadly action. . . . I do not support broad and undefined intelligence collection efforts—but . . . the first rule of self-defense is to know the enemy who intends to destroy you. Intelligence . . . helps to protect the American people. It should not be considered a 'dirty word.'"

Mr. Methvin is a senior editor at Reader's Digest.

Enemy Within

BUT a dirty word it is today. In the 1970s the nation allowed its domestic anti-terrorism apparatus to be crippled and virtually disbanded. Leading the destruction was a coalition of conscientious civil libertarians and radical revolutionaries dedicated to destroying constitutional government in the United States.

In 1971, the American Civil Liberties Union announced that "dissolution of the nation's vast surveillance network" would henceforth be a top priority. It launched a "police surveillance project" headed by Yale Law Professor Frank J. Donner, identified in sworn testimony by three witnesses as a steadfast member of the Communist Party in its worst Stalinist days. The National Lawyers Guild, whose president declared its goal was "to keep the road clear of legal roadblocks" for revolutionaries, filed lawsuits wholesale against local police intelligence units, crippling them or destroying them altogether. Old Left lawyer William Kunstler once boasted, "I stay in this profession only because I want to be a double agent, to destroy the whole ——— system."

The *Washington Post* and *New York Times* aided these crusades in both news and editorial columns. On December 22, 1974, the *Times* launched a major "exposé" of the sins of American intelligence agencies on the domestic front. This "scoop" was based on an internal study of

ILLUSTRATION BY ROMAN GENN

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the CIA ordered by Director William Colby, in which subordinates were instructed to review the agency's 25-year history and report every activity that might have violated a domestic law. Colby naïvely handed the study over to *Times* reporter Seymour Hersh, and the newspaper treated it as a major scandal.

The U.S. Senate, meanwhile, created a select committee under the chairmanship of Frank Church (D., Idaho), the Senate's most intense left-wing ideologue. In March 1976, after more than a year of bombardment by Church and others on Capitol Hill, Attorney General Edward Levi, trying to position the weak Ford Administration for the approaching election, imposed "guidelines" on the FBI prohibiting any investigation without "specific articulable facts giving reason to believe that an individual or a group is or may be engaged in" criminal activities.

This requirement for a "criminal predicate" totally abandoned law enforcement's preventive and peacekeeping functions. In the words of one jurist, "It means every terrorist gets one free blast." Five days before Levi issued his guidelines, the FBI's intelligence division had 4,868 domestic security investigations going. Six months later there were 626. By August 1982 Congress found the number had dwindled to 38.

The high cost of this destruction of domestic intelligence was demonstrated exactly a year after Attorney General Levi issued his guidelines. In Washington, D.C., a black Muslim guru named Hamaas Abdul Khaalis and 11 followers, wielding guns and machetes, seized hostages in the B'nai B'rith headquarters, the Muslim Mosque and Cultural Center, and the District of Columbia Building—Washington's "city hall." The Hanafi Muslims (as the cult called itself) killed one person and crippled another for life in their violent takeover. The siege lasted two days before the 137 hostages were released. The Metropolitan Police Department revealed that it had withdrawn an informant from the Hanafi Muslims and destroyed their file, in response to pressure from the ACLU and other police baiters. The Senate Subcommittee on Criminal Laws and Procedures in a 1978 report asserted that if the police had had an informer in the Hanafi ranks, "the chances are 100 to 1 that they would have had intelligence enabling them to take preventive action."

It was a different story in Maryland in 1978. State Police Sergeant John Cook infiltrated the Ku Klux Klan and fed the FBI reports on its violent plottings. The FBI opened a preliminary investigation under the Levi guidelines, but closed it when nothing had happened in 90 days, as the guidelines mandated. Fortunately, the Maryland State Police did not follow the FBI's lead. They kept Sergeant Cook in place, and he worked his way into a ten-man Klan "death squad." Eventually the Klan attempted a series of bombings, including one at the home of a black congressman, Parren Mitchell. The night of their planned attacks Sergeant Cook had the pleasure of arresting them.

"You're going to cut your hand. You're holding the knife backward."

Terror Network U.S.A.

ON October 20, 1981, in Nyack, N.Y., a dozen Black Liberation Army and Weather Underground terrorists killed a Brink's guard, wounded two others, and made away with $1.6 million. At a police barricade five miles away they killed two cops and wounded a third. Four of the robbers were captured and the cash recovered, but eight or more escaped.

Tracing auto tags noted by witnesses, the FBI found several terrorist lairs. Seized documents showed the group was moving to a more vicious level of urban guerrilla warfare. A list profiled two dozen corporate executives and contained biographies, photos, and daily schedules of top New York and New Jersey police officials. Plots for bombings and ambush murders were evident in hand-drawn floor plans and photos of police stations and barracks. The terrorists also had a file on former President Nixon's residences. The evidence revealed a nationwide alliance of radical groups: the BLA, the Weather Underground, the separatist Republic of New Afrika, the Puerto Rican FALN. They even had links to radical feminists who ran a remote California commune where Sara Jane Moore engaged in target practice before her 1975 attempt to kill President Ford, and where the Symbionese Liberation Army kidnappers prepared their abduction of Patty Hearst and their murder of Oakland's black school superintendent, Marcus Foster. The allies had pulled off at least 18 "armed expropriations" with more than a million dollars in loot, and had freed notorious terrorists from prison. Incredibly, this Terror Network U.S.A. had operated for over five years without either police or FBI intelligence catching a hint of the connections. In those five years the FBI's informants in political-terrorist groups had been cut from 1,100 to fewer than 50, and its domestic security investigations from 20,868 to only 10 groups and 47 individuals.

The FBI had followed the Weather Underground from its beginning, when it spun off

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from the Students for a Democratic Society in 1969. The investigation continued after the 1976 Levi guidelines because the Weather terrorists had committed numerous bombings—including at the U.S. Capitol, the Pentagon, and some 18 other targets—prior to March 1974. But in October 1981 an FBI official admitted that "federal intelligence reports" were dropped in 1979 because the Weather gang "has not been active since it claimed responsibility for the 1977 bombing of a federal building in Seattle."

So unless a terrorist network announces itself periodically with press releases claiming credit for its bombings, the FBI will not chase it? That was the practice if not the disclosed rule—and continues almost so today. And the G-Men had good reasons to drop their pursuit of the Weather terrorists. Incredibly, the Carter Justice Department had more than two dozen lawyers and a grand jury investigating 132 FBI agents for alleged civil-rights violations of relatives and friends of fugitive terrorists, while none pursued the terrorists themselves.

In 1988, the anti-intelligence combine battered the FBI again just to keep the watchdogs intimidated. The Center for Constitutional Rights, founded in 1966 by Kunstler and three other Old Left lawyers, used the Freedom of Information Act to obtain from the FBI some 1,200 pages of files on the Committee in Solidarity with the People of El Salvador (CISPES).

The *New York Times* and *Washington Post* promptly disseminated the FBI's outrages. "FBI agents took photographs of marchers and recorded their automobile license numbers," *Times* reporter Philip Shenon panted. "Agents were also authorized to begin surveillance of students at Florida State University," And the *Post*'s Howard Kurtz seemed slack-jawed that "FBI agents investigated nuns, union members, and college students; checked up on church forums and Knights of Columbus dinners; photographed protestors at peaceful rallies; and distributed what they deemed offending articles from student newspapers and *People* magazine." Neither the *Post* nor the *Times* gave its readers any hint of what had triggered the FBI probe—evidence indicating that CISPES militants might be sheltering the terrorists who had perpetrated the November 7, 1983, bombing of the U.S. Capitol.

Leon Trotsky, founder of the Red Army and one of the twentieth century's chief theoreticians and proponents of terrorism, proclaimed, "No terrorist group can function without a screen of sympathizers." CISPES clearly fit the definition of a terrorist screen. In May 1980 Fidel Castro ordered the various Marxist paramilitary factions warring against the Salvadoran government to form a unified command as the condition for greater East Bloc support. The new umbrella organizations—the military Farabundo Martí National Liberation Front (FMNL) and its political/diplomatic arm, the Revolutionary Democratic Front (FDR)—launched a program to build support inside the United States. Shortly thereafter, conventions of leftists were held in Los Angeles and Washington, and CISPES was born.

In 1983 the FBI learned that individuals in contact with the FDR/FMLN planned to establish clandestine cells in the United States to commit murders, sabotage, and bank robberies in support of the Salvadoran guerrillas. On March 30 Headquarters authorized 11 field offices to investigate CISPES locally. Within a month, a bomb had exploded at the National War College in Washington, D.C. Numerous bombings followed—including the one at the U.S. Capitol—and anonymous "communiqués" proclaimed solidarity with the Salvadoran insurgents.

CISPES members were the prime suspects until late March 1984. Then the FBI learned that some of the Nyack fugitives and their allies were responsible. However, as a result of its investigation, the FBI was able to head off the disruptive demonstrations CISPES was planning at the GOP convention in Dallas. The FBI continued its investigation until June 1985.

The entire CISPES investigation involved the equivalent of five fulltime agents working over two years, and cost little more than $800,000. After the *Times* and *Post* horripilations the Justice Department's Office of Professional Responsibility and the FBI's inspection division spent almost that much investigating the CISPES investigation in order to mollify the Kunstlerites, the *Times*, the *Post*, and their congressional claque. The Senate Intelligence Committee faulted the Bureau for investigating the whole CISPES organization instead of a few specific suspects. But how was the FBI to know who the suspects were, or how extensive their network was, without looking? And who can say what mischief or mayhem the surveillance prevented—thereby coincidentally protecting the constitutional rights of the large majority of CISPES members to protest peacefully?

The current criminal-conduct-only guidelines ignore the well-documented sociology of terrorist movements. Such movements contain only a few who will build and plant bombs, or lay and execute ambushes. But many will give the actors support: medical help, money, hiding places, intelligence, and such. These support networks must be built in advance of the onslaught. Building them requires *words* to attract and recruit sympathizers. This is the stage at which prevention is possible; and if prevention fails, swift apprehension can limit the damage.

Thus in June 1970 an FBI informant within the Black Panther Party warned of a planned ambush on Detroit police, and named the designated attackers. On the appointed day two snipers riddled a police cruiser with armor-piercing bullets. Miraculously the two officers were only wounded. The killers were intercepted when they returned to their residence, and sent away for long prison terms. Three other named Panthers scouting another section of Detroit for a diversionary target were caught with illegal weapons and sent to jail as well.

Breaching the Screen

PENETRATING the terrorist's screen of sympathizers requires intelligence of a surgical precision that can be obtained only with the full arse-

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nal of clandestine operations: informant networks, electronic surveillance, covert action. An enlightening example is the first conviction under the Biological Weapons Anti-Terrorism Act of 1989.

On May 20, 1992, Colette Baker walked into the Pope County Sheriff's Office in Glenwood, Minnesota, and complained that her husband, Doug Baker, had pointed a shotgun at her and threatened to kill her. She wanted to leave him, she said, but feared he would kill her or her parents with a powerful poison that he had bragged of possessing. To persuade the skeptical cops, the next day Mrs. Baker brought in a coffee can containing a baby-food jar, a fingernail-polish bottle, a pair of rubber gloves, and a hand-printed note that read:

"DOUG, Be extremely careful! After you mix the powder with the gel, the slightest contact will kill you! If you breathe the powder or get it in your eyes, you're a dead man. Dispose all instruments used. Always wear rubber gloves and then destroy them also.

"Good hunting!!

"P.S. Destroy this note!!"

A "smiley face" had been drawn next to the words, "Good hunting!!"

The FBI laboratory in Washington, D.C., found that the baby-food jar contained 0.7 gram of a castor-bean extract known as ricin, the third most deadly poison known. This tiny amount was enough to kill more than 100 people. Ricin has no antidote and is virtually impossible to detect in post-mortem analysis. (Ricin was the poison the KGB-controlled Bulgarian secret service used to murder Georgi Markov on a London street in 1978.)

The second bottle in Mrs. Baker's can contained a common skin-care product impregnated with dimethyl sulfoxide (DMSO), a powerful solvent that can transport toxic substances through the skin into the bloodstream in seconds.

This laboratory analysis was enough to get the FBI's concentrated attention. For more than a year local police had been passing along tipsters' warnings about a shadowy group of tax protestors called the Patriots Council, meeting sporadically in various central-Minnesota towns such as St. Cloud, Alexandria, Glenwood, and Starbuck. The group met on Sundays under guise of discussing religion, but there was hot talk against lawmen. One informant named three acquaintances who had discussed procuring assault rifles, killing a sheriff's deputy, and blowing up a federal building.

The FBI knew ricin was a favorite item in the paranoid press. One sheet, published in Oregon, advertised ricin as the "Silent Tool of Justice . . . agent of choice for CIA, KGB, etc. A single bean will kill an evildoer." Mrs. Baker's coffee can was just the lucky break the FBI needed to prevent what might have been a deadly disaster. This was preventive law enforcement at its best. The FBI went back to the sheriff's detectives who had been reporting on the Patriots Council and recruited one of the tipsters, Scott Loverink, as an informant. Over the next 14 months Loverink had more than one hundred contacts with the plotters. They had ordered the instructions from Oregon, grown the castor beans, extracted the ricin, and were trying to decide how to use it. IRS agents, U.S. marshalls, and local sheriff's deputies were suggested targets.

Last August, the FBI arrested Doug Baker and LeRoy Wheeler, who grew the castor beans and whose fingerprints were on the coffee can and rubber gloves. On February 28 of this year, a federal jury convicted them of possessing a biological toxin intended for use as a weapon. Meanwhile the Oregon man who ran "Maynard's Avenging Angel Supply" mail-order business was sent to prison on weapons violations. Had it not been for Doug Baker's indiscretion in pointing a shotgun at his wife, and her delivery of the ricin stash to the police, biological terrorism might have erupted in the United States well ahead of the sarin-gas murders in Tokyo's subway system.

In the wake of the Oklahoma City bombing, Kunstler's CCR struck again. This time it used the Freedom of Information Act to obtain 22 of 199 pages from FBI files on ACT-UP, the militant AIDS activist group. The files showed that, in 1990–91, when the group had scheduled protests at the U.S. Capitol and National Institutes of Health, tipsters told the FBI that some members planned violence to attract media attention. The FBI passed along the tips to relevant law-enforcement agencies and like any good bureaucracy filed them, but did no independent investigation.

But the *Times* and the *Post* once again ran accusatory stories about FBI domestic spying. Steven Michael, chairman of the ACT-UP Washington office, demanded a congressional investigation and told the *Post*, "They are caught with their hand in the cookie jar. I really genuinely believe that this was politically motivated. Their response is to spy on us. I don't feel safe, I don't feel comfortable. The mere fact that the FBI has a file on my organization frightens me. We have never committed an act of violence. They have no basis to even have page one."

Thus the campaign to make America safe for terrorists continues. Let the buyer beware. □

Anti-Terrorism or War?

ANGELO CODEVILLA

LIBERALS, led by President Clinton, have been trying to use the American people's loathing of terrorism as a cover for political warfare against conservatives. In the days after the Oklahoma City bombing, the President spoke as if the militia movement, conservative talk-show hosts, and "anti-government zealots" in general shared responsibility for the carnage. Other liberal politicians and journalists have demanded that con-

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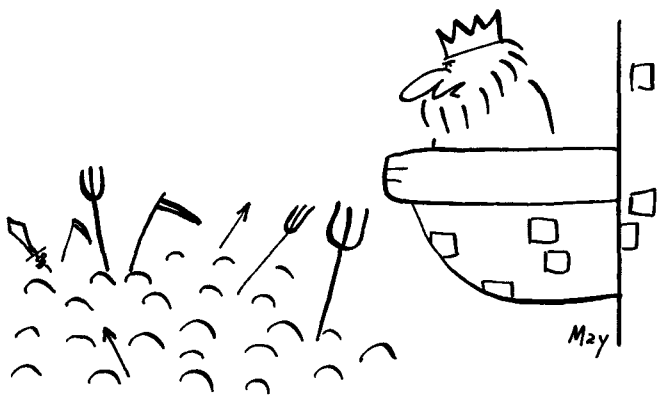
servatives "lower their voices"—i.e., moderate their criticism of the arrogance and immorality of modern American government. The Clinton Administration asked Congress for broad new powers to combat terrorism.

What is going on here? Liberals have been losing the debate on every topic from economics to family policy to education. Their grip on America is slipping. Apparently some have decided that their last best chance of delegitimizing anti-government sentiment is to argue that lack of reverence for the government, its officials, and its



"I'm warning you—overthrow me, and you'll end up with a President*!"*

ethos leads to terrorism. The voters may never again trust the liberals with the economy or a host of other things, but perhaps they may be got to trust Bill Clinton to protect them against right-wing kooks. This is a dangerous calculation.

A compromise anti-terrorist bill recently passed the Senate. The provisions that deal with foreign terrorists, such as exclusion of members of terrorist groups and faster deportation of suspect aliens, may do little good, but they can do no harm. The requirement that taggants henceforth be added to explosives is a small bother of even smaller worth. Increasing penalties for terrorists and limiting appeals by death-row inmates are probably good in themselves, but unlikely to have any impact on this particular problem.

However, the measures designed to combat domestic terrorism are dangerous. None of them could have prevented the Oklahoma City bombing or helped catch its perpetrators. All of them are terribly useful as weapons against domestic political enemies. The requirement for government access keys to private computer cryptography, the loosened guidelines for wiretapping individuals, the increased access to hotel, travel, and even bank records—all this portends trouble. Especially because the President's rhetoric has made it perfectly clear who, in his view, this country's potential terrorists are, and hence who the targets of the government's attentions will be. The standard developed after Oklahoma City—namely that possession of literature and frequent expression of opinions similar to those of people involved in violence constitutes a "link" to violence—will enable the Clinton Justice Department to treat a wide variety of conservatives as threats to internal security.

Among the tools the government is already using against the enemies on its list is the Internal Revenue Service. The National Rifle Association was recently told to provide offices for IRS auditors, who will be going over its operations with a fine-tooth comb.

Government officials and columnists friendly to them make clear that the list does not stop at the NRA. They consider opposition to big government, to abortion, to high taxes, etc., to be the matrix out of which "right-wing terrorism" grows. And if the Administration gets its way, the issuance of warrants for wiretapping, infiltration, search of bank and travel records, and physical searches will follow the precedent of the Foreign Intelligence Surveillance Act of 1978 and be lodged in a court that holds secret, *ex parte* proceedings. Have we seen this sort of thing before? Not quite.

Until the 1960s the attorney general publicly listed Communist and other subversive organizations allied with foreign enemies. The U.S. Government excluded the members of these organizations from public employment, maintained surveillance on them, and warned other Americans away from them. Occasionally the FBI sowed discord among them. During this period the reasonable answer to civil libertarians' reasonable objections was that Communists had stepped outside the full protection of the laws by allying themselves with a foreign enemy. The existence of the Soviet Union imposed on us the necessity of criminalizing domestic Communism. After the Soviet Union's disappearance, however, it would be well-nigh impossible to square official discrimination against Communists with the American legal tradition. Recall that Abraham Lincoln suspended *habeas corpus* and violated property rights only when enemy armies were in control of 11 states.

President Clinton, however, is making a clean break with the American tradition. He is effectively re-establishing the attorney general's list. But those on the new list are enemies not because of any connections with a foreign power, but because of political differences with him and his constituencies. Moreover, the reach of law enforcement is so much broader and harsher than it was in the 1950s that what it can now do to people amounts to war.

Today government makes so many rules with so many details (202 volumes, 132,000 pages) that almost anybody can be accused of some violation. "We can indict a ham sandwich" is the proud saying among some federal prosecutors. Add the words of informants, and it is possible to fabricate the basis of a warrant against anyone at any time. Furthermore, the Supreme Court's general caution to the contrary notwithstanding, a search warrant today permits armed, masked agents to burst in with guns drawn, and to fire at the discretion of whoever is making the rules that day. And the practice of "civil forfeiture" allows officials to seize your computer, your cash, your house, or your farm's tractor without ever filing a charge.

Mr. Codevilla, a regular contributor to NR*, will be teaching as a professor of International Relations this fall at Boston University.*

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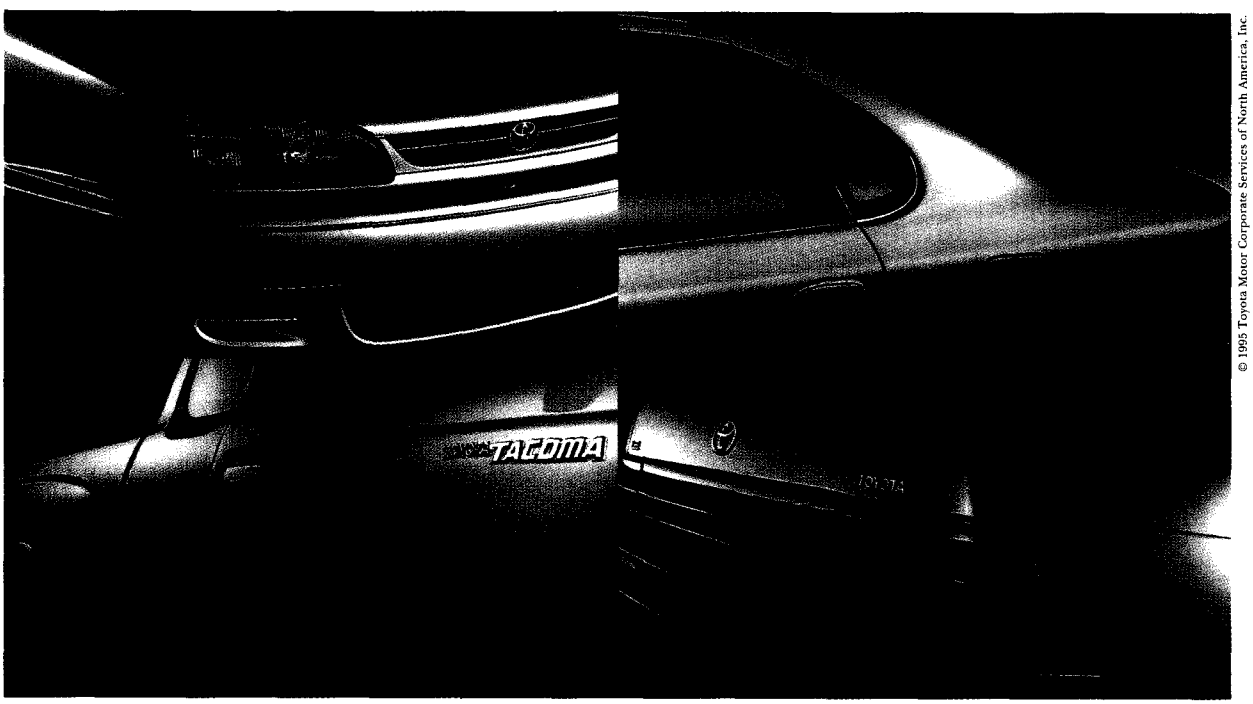

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*Clockwise from top left: Toyota Camry, Toyota Avalon, Toyota Corolla, Toyota Tacoma.**

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These are not "paranoid fantasies." This is the legacy of almost thirty years of the federalization and militarization of American law enforcement. What will happen if this panoply of weapons is put to the service of political passions and bureaucratic self-interest?

President Clinton has brushed aside such considerations as impediments to the "war on terrorism." But he is terribly mistaken. The first objective in any battle against domestic terrorism must be to seal it off from domestic politics as completely as possible. Whether or not those who set bombs or fires are connected to the great issues of the day, they are mere criminals and should be treated as such. To move away from the principle that the only people responsible for a crime are the ones who committed it—and to involve whole political parties and social categories as enemies in blood quarrels with the state—is the first step down a well-worn path to civil war.

Yet President Clinton and many of his followers have already taken this first step, by imputing guilt for the Oklahoma City bombing to people who had nothing to do with it. *Wall Street Journal* columnist Al Hunt wrote

The Many Deaths of Viola Liuzzo

THIS year marks the thirtieth anniversary of the march from Selma to Montgomery, one of the most effective demonstrations of the entire civil-rights era. It is also the anniversary of a sordid murder committed because of that march. The murder and its improbable aftermath make a fascinating story that throws light on two very contemporary questions: Should the FBI infiltrate radical organizations? And, Can the jury system handle high-profile cases with a racial angle?

On March 25, 1965, the Selma-to-Montgomery march for black voting rights had come to a triumphant close. That evening, a woman from Michigan named Viola Liuzzo, who was shuttling demonstrators from Montgomery back to housing in Selma, was killed by a volley of bullets fired from a passing car.

Viola Liuzzo, as it happens, was just the sort of "Northern meddler" whom segregationists despised. The 39-year-old woman was thrice married and mentally unstable, and she had needle marks in her arms when she died. Although she had once registered, she had never voted; segregationists pointed out that she was demanding a right for blacks that she herself had never exercised.

President Lyndon Johnson took an intense interest in the case. Within 24 hours of her death he had gone on television and radio with FBI Director J. Edgar Hoover at his side to announce the arrest of four suspects, all members of the Ku Klux Klan.

Johnson heaped praise on "the very fast and always efficient work of the special agents of the FBI who worked all night long, starting immediately after the tragic death of Mrs. Viola Liuzzo." He heaped abuse on the Klan, and urged Congress to mount a full-scale investigation of its activities—a charge that was promptly accepted by the House Un-American Activities Committee (HUAC). Johnson did not mention that the crime had been solved with such miraculous speed because one of the arrested Klansmen, Gary Rowe, was a paid FBI informer.

Collie Wilkins, the alleged triggerman, was tried in a segregated courtroom in Hayneville, Alabama. He was defended by Matt Murphy, "Imperial Klonsel" (general counsel) of the United Klans of America. Imperial Klonsel Murphy made much of the fact that the state's case depended almost entirely on the testimony of a paid informer who had broken his oath of loyalty to the Klan and had betrayed his brothers. "What kind of man is this," he thundered, "who comes into a fraternal order by hook and crook, takes the sacred oath, and sells his soul for 30 pieces of silver?"

Arguing before an all-white, all-male jury, Murphy also tried to make white supremacy and segregation the central questions rather than guilt or innocence. "I'm proud of my heritage; I'm proud that I am a white man," he shouted in his closing arugment. "I'm for white supremacy. The Communists and the niggers have taken us over." In the end, the panel deadlocked, with two jurors holding out against conviction on manslaughter charges.

Wilkins was retried in October 1965. Interest in the case was heightened, if that could be possible, by the HUAC Klan hearings, which started on almost the same day. Kleagles, Kludds, and Kligrapps testified before a Klan-happy Washington press while the out-of-town corps descended once again upon Hayneville.

This time, the prosecutor tried to show that some prospective jurors were racist by asking them whether they believed that Negroes, and white integrationists like Mrs. Liuzzo, were inferior to themselves. Although 11 of 30 prospective jurors said that they did believe this, they also claimed they could fairly consider the evidence and impose the death penalty on a man who had killed an "inferior" civil-rights worker. The judge ruled that the men were fit jurors.

There were six blacks in the jury pool, but they were all disqualified for various reasons; the resulting panel was all white. Murphy had died in a car crash shortly after the first trial, so Arthur Hanes, former mayor of Birmingham, conducted the defense.

Rowe, the informant, once again swore that Wilkins had fired the fatal shots. But he admitted that he had held a gun out the car window and *pretended* to shoot. For the defense, Hanes referred to the informer as a "Judas goat" and the alleged trigger-man as a "scapegoat," and called the trial the "Parable of Two Goats." Hanes also managed to find two alibi witnesses, who testified that they had seen Wilkins drinking beer at a VFW Hall near Birmingham, 125 miles from the murder scene, an hour or less after Viola Liuzzo was shot.

In his closing argument, Hanes gave no sermons about segregation or white supremacy but concentrated on the

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TAX AND MEND?

HAROLD JOHNSON

BANKRUPTCY, like the hangman's noose, can wonderfully concentrate the mind. In Orange County, California, now seven months into the largest municipal bankruptcy in American history, minds and energies are focused as never before, but not all in the same direction.

On the one hand, many of the area's conservative activists enthuse that the financial crisis is a heaven-sent chance to sweat pounds off the public sector. Orange County could offer the nation a "test tube," as one county Republican Party official put it, a 21st Century model of lean government, where volunteerism, private contracting, and community self-reliance replace the arthritic structures of the paternalistic state.

On the other side of what is shaping up to be a defining struggle, much of the civic establishment is united with big land developers, public employee unions, and other worried acolytes of expansive government. Their mission: shore up the status quo; stave off any large-scale privatizing; assault deficits with the old reliable, higher taxes.

The outcome will send a message far beyond the borders of Anaheim or

(Continues on page West-4)

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WEST WORLD

■ After engineering the selection of a renegade Republican to succeed him as speaker of the California Assembly, Willie Brown has reportedly been approached to do ads for a chain of clothing stores: Banana Republic.

■ Did you ever think you'd hear Oliver Stone defending corporate profits? At a much-fussed-about fundraiser in Los Angeles, Republican presidential hopeful Bob Dole appealed to movie and music industry leaders not to "debase our nation . . . for the sake of corporate profits." Oliver Stone, director of *Natural Born Killers*, which was singled out by Dole, leaped to the defense of the capitalist running dogs. Dole was engaging in "a '90s form of McCarthyism," Stone slavered, engaging in the '90s form of McCarthyism.

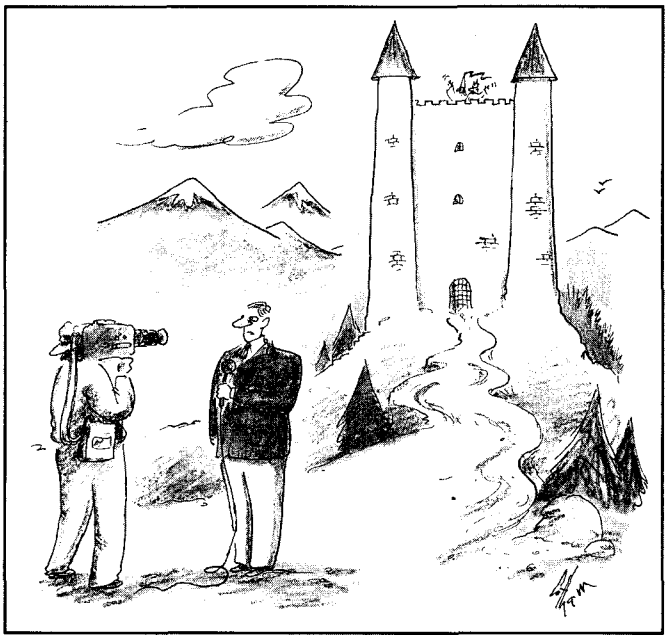
■ Dole's suggestion that Hollywood is "mainstreaming deviancy" touched a raw nerve among the young and the beautiful—not to mention film critic Gene Siskel, who echoed many of them when he suggested that politicians leave the movies to movie people. Almost simultaneously, news reports had actress Melanie Griffith touring Washington in support of NEA funding. Dole, the consummate dealmaker, should propose a compromise: war heroes and national political leaders will steer clear of theaters if dizzy blondes (male and female; brunettes too) from Tinseltown will butt out of politics. All things being equal, we think the country would be a better place.

■ One straight-talking entertainer we would welcome to the world of politics is rock guitarist Ted Nugent. A prominent member and avid supporter of the National Rifle Association, his selection to the Hollywood Rock Walk of Fame drew protesters. As he was imprinting his hands in cement on the walk, there were shouts of "Killer" and a banner was unveiled reading "Ted Nugent Equals Violence on the Walk of Fame." Nugent's reaction? "It's important that the weenies object," he said. "That proves I'm not one."

■ The First Lady recently donned academic robes to receive an honorary degree and deliver a commencement speech at San Francisco State University. Mrs. Clinton's advice to the graduates? Fight federal education spending cuts. Indeed, this seemed to be the theme of the day, as many faculty members wore purple ribbons to signify—look it up in your cross index of ribbon colors and seasons—opposition to federal education cuts. University President Robert Corrigan summed up the core message of this inspirational commencement ceremony in just four words: "Build universities, not prisons." This is right up there with "You can't hug a child with nuclear arms" as an instructive example of the kind of sloganeering that passes for higher learning on college campuses today. Maybe that's why Americans think they can invest their education dollars more wisely than the feds.

■ In a thinly-veiled announcement of opposition to the California Civil Rights Amendment (CCRI)—the planned initiative to curtail affirmative action in California—Roman Catholic Roger Cardinal Mahoney issued a pastoral letter to 3.5 million parishioners in Southern California. He referred to proposals "that communicate—even implicitly—that further progress toward the elimination of racial discrimination is neither necessary nor possible," calling these "unacceptable." Odd, that. Leaving aside the obvious point that affirmative action requires, by definition, racial discrimination, we can think of a few quotas Cardinal Mahoney and his bosses—both earthly and heavenly—would most certainly refuse to be bound by.

■ The offensive against CCRI is heating up outside the confused mind of Cardinal Mahoney as well, with the liberals resorting early to underhanded tactics. One Bob Mulholland has told both the *San Jose Mercury News* and the *Sacramento Bee* of plans to "research" the two academic authors of CCRI, Glynn Custred and Tom Wood. "These two professors may have white shirts on now," he said, "but by the time we're done with them, they'll be pretty dirtied up."



"But has it really been happily ever after?"

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Among other things, Mulholland says he'll research "if they paid their taxes, inappropriately touched students, or [have] ever been involved in lawsuits." Mulholland, you might recall, is the guy who engineered a scurrilous smear campaign against conservative Bruce Herschensohn on the eve of the 1992 U.S. Senate election, won narrowly by Barbara Boxer. At the time, Mulholland, a Democratic party employee, was fired by a "shocked, shocked" state Democratic Chairman Phil Angelides. But he apparently didn't stay fired, since he is now a senior advisor to the California Democratic Party. Even the liberal *Bee* calls Mulholland the "slime peddler for the Democrats." So much for the rather naive notions of some—including the good professors—that the initiative would avoid partisan politics!

■ Where is racism thriving in America today? Try the tenth annual luncheon of the Pasadena-Foothill branch of the Urban League. This luncheon was being served by a team of waiters and waitresses employed by Host Helpers, a local company. But Shirley Adams, director of the League branch, spotted a problem: "There was no diversity to the work force," she said later. Only four of the twenty-six workers were approved "minorities." According to staff director Andrew Wright, what followed was a blatant and shocking display of crude racism. "Shirley Adams very clearly and loudly stated in front of the servers and various bystanders" that it was "unacceptable" for there to be "Anglo personnel" serving the tables, that "they could not work and would have to leave. . . . The African-American servers could stay, and the college would have to find African-Americans within the college to replace the whites." La Vonne Dancy, an Urban League flack, tried to save the situation by telling the servers there had been a misunderstanding and that everyone was welcome to work. But then she asked non-white servers to separate themselves from the others. Wright felt morally obliged under the circumstances to offer each server the choice of declining to work, which at least two of the servers accepted. One of them, Karen Feder, who had driven 35 miles to the job, said "there was no way I could work. I had never been made to feel so low before in my life." Lunch resumed, with the black waitresses and Caucasian Linda Roberts assigned to serve the dignitaries at the front tables. Why Ms. Roberts? Her "skin is dark." No kidding. This is what the affirmative action debate is all about. If we lack the civic courage to purge this sickness from our polity, we deserve what we are left with. And it *will* take some courage.

■ When the Reno Hilton Convention Center canceled its contract to host a speech by controversial talk show host Gordon Liddy, the sponsoring radio station made a freedom-of-speech issue out of it and the University of Nevada responded with an offer to take the Hilton's place. Liddy used the occasion to set the record straight on some previous controversial statements: most law enforcement officials—those who refrain from kicking down the doors of innocent people in the dead of night—deserve respect, he said. With the exception of a lone protester with a sign reading "Silence the Violence"—perhaps it was a graduate of San Francisco State!—the crowd was quite receptive to Liddy's message of manly self-assertion against the onslaught of bureaucracy. This is perhaps not surprising in a state where much of the spirit of the older, ruggedly individualistic West survives—yet where the federal Bureau of Land Management controls 87 per cent of the land.

■ The Goldwater Institute and The Federalist Society will be co-sponsoring a two-day conference in Phoenix on November 3-4. Leading scholars will address federal judicial mandates and their impact on state and local governments and the private sector. Seating will be limited. For further information call (602) 256-7018.

■ Charging that "big business is firmly behind the welfare state," Dick Armey has sent scores of top CEOs a new Capital Research Center report blasting corporate America for bankrolling liberal advocacy groups, which get nearly $3.50 for every corporate buck donated to conservatives. His advice to liberal sugar daddies: support "free-market policies," and get behind the electorate's demand for "an end to big government's high taxes, heavy-handed regulation, and welfare-driven cultural decay." Judging by the *Washington Post*'s reaction—an editorial hissy fit decrying Armey's "arrogance of power"—the House Majority Leader has touched a *very* sensitive spot.

■ Critics of electric-car mandates have long noted that the electricity for these "zero-emission" vehicles is produced by power plants that contribute to air pollution. A new study raises further questions about the environmental friendliness of electric cars. In a recent issue of *Science*, researchers at Carnegie-Mellon University report that the mining, smelting, and recycling needed to produce the lead-acid batteries for the cars will generate about 1,350 milligrams of lead emissions per kilometer. Improvements in technology may reduce the problem dramatically, the researchers say, but electric cars would still be responsible for more lead emissions than cars powered by leaded gasoline, which has been phased out as a health hazard.

■ Federal technocrats have discovered (we don't even want to guess how) that by altering a gene they can turn male fruit flies into fruits—oops, gay fruit flies. There are environmental as well as genetic factors in all this and it establishes exactly nothing about human sexuality and it's all very complicated. Further genetic research is needed, to see if altering bureaucrats' genes can stop them from wasting tax dollars on idiocy.

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JOHNSON
(Continued from page West-1)

San Clemente. "The state and the nation are watching," suggests Bruce Whitaker, spokesman for a taxpayer watchdog group called the Committees of Correspondence, after the network of Revolutionary War-era patriots. "If we try to tax our way out of our troubles, the tax-and-spend advocates everywhere will be able to make us a poster county for their cause. They'll say, 'Look, even conservative Orange County is open to higher taxes!' "

ON the other hand, if fiscal woes on the daunting scale of Orange County's can be solved through less government rather than more, it would be another blow to the Old Order, the stewards of statism still reeling from the 1994 elections.

An early, critical test comes June 27, when Orange County voters will decide on Measure R, a proposed half-cent sales-tax increase put forward by the developers, the unions, and their supporters on the Board of Supervisors.

There is no other way to fill the $1 billion-plus crater left by the meltdown of the county's turbo-charged investment fund, insist the advocates. Interestingly, the supporters include most of the interests that used to cheer ex-County Treasurer Bob Citron, the man who drove that investment fund into the bog along a path paved with borrowed money. The government unions, the Irvine Company (the county's largest developer), Supervisors Gaddi Vasquez and Bill Steiner, the county's top unelected bureaucrats—all are loudly hawking the tax; none is anxious to remind voters they were hawking Citron for re-election 12 months ago.

Measure R's backers would also prefer that the public ignore the gold hoarded by the county's special tax districts, such as the Orange County Transportation Authority (custodian of a fleet of empty buses), the water districts, and the sanitation districts. The suggestion that some of these dollars be diverted for bankruptcy relief—as an alternative to diverting money from taxpayers' wallets—has been hooted down by county officials, clearly uninterested in disturbing wealthy political satrapies.

Proposals for selling the jails, the county landfills, and the airport run into a similarly aggressive lack of enthusiasm. And while the county's temporary chief executive, former S&L magnate William Popejoy, has put the knife to a portion of the budget, there have been no across-the-board wage cuts, nor any dramatic shrinking of the work force, which has grown by more than 50 per cent—to around 18,000—over the past decade.

There's a through-the-looking-glass quality to much of the pro-Measure R rhetoric. "Vote Yes, or the county's bond rating will be imperiled," goes a frequent refrain. Yet it was frenetic borrowing that helped land the county in the soup. Are voters expected to lie sleepless at night worrying the county might not be able to rent money so promiscuously in the future?

Popejoy says he understands the urge of Measure R opponents "to keep taxes low." In fact, taxes in Orange County are high by any index. On a per-worker basis, the tax burden in California—state and local levies combined—is the nation's sixth highest, higher than anywhere else in the West, according to the California Taxpayers Association. And Orange County's is one of the heaviest tax burdens within California, reports the Tax Foundation in Washington, D.C.

Measure R would raise the county's sales tax—currently 7.75 per cent—to 8.25 per cent, above three of four neighboring counties—San Bernardino, Riverside, and San Diego. It already is well ahead of sales tax rates in the booming cities of the interior West, the cities crowded with refugees from Southern California. Salt Lake City's sales tax is 6.125 per cent; Tucson's is 7 per cent; Boise's is 5; Nevada's ranges between 6.5 and 7; Colorado Springs's is 6.2; Oregon has no sales tax.

"Measure R would make a high tax burden higher," says Orange County attorney and television commentator Hugh Hewitt. "Not exactly a brilliant strategy when we still have a net outflow of working people from Orange County and the rest of Southern California to other Western states."

Writing against Measure R last month in the *Orange County Register*, economist Arthur Laffer warned that "government doesn't feel grateful" when taxpayers agree to open their pocketbooks wider. He was powerfully vindicated a couple of weeks later,

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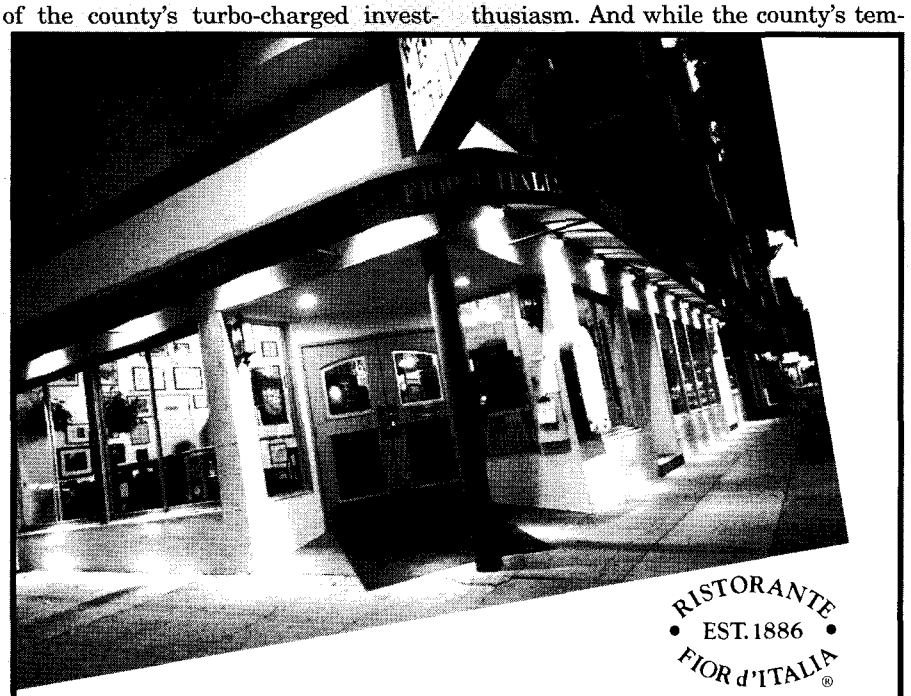

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when Bill Lockyer, the Democratic leader of the state Senate, gave a speech in Orange County in which he embraced Measure R—and pummeled Orange County taxpayers for self-centeredness.

'I DON'T understand the new sort of greed, the I'm-gonna-take-care-of-myself-and-to-hell-with-everybody-else-in-the-world attitude that I increasingly hear from people that you send to Sacramento, and people I bump into in this county," he fumed. "It is short-sighted, self-destructive, and let me tell you, eventually [poor people from other parts of the state] are going to come down and burn down your gated communities."

Apparently Lockyer didn't hear Bill Clinton, after Oklahoma City, warn against hate speech. And apparently he doesn't know, or doesn't care, that Orange Countians are among the most relentlessly taxed groups of people in the country.

Coming from someone who pulls down more than $100,000 yearly on the public payroll—as much as $20,000 of it in the form of tax free daily "expense" payments—Lockyer's bombast about "greed" and "self-destruction" takes more than the politician's usual allotment of gall. But Measure R opponents were grateful anyway. His outburst could only add to sentiment against responding to the bureaucrats' whines by giving them another feeding. □

Statue of Responsibility: An Independence Day Proposal

ALEXANDER Solzhenitsyn told America in his commencement speech at Harvard: "It is time to promote human responsibility." Winston Churchill before him instructed us that "The price of greatness is responsibility." These great men were saying that a free society will survive only as long as citizens are as conscious of their obligations as they are of their rights.

Senator Bob Dole's recent attack on Hollywood—for which he is currently being burned in effigy atop the Hollywood sign—raises essentially the same point in provoking us to consider the personal responsibility of both the sellers and buyers (insofar as they are rational adults) of much of the current theatrical fare. It was with this and many other such issues in mind that I began a year ago advocating the building of a Statue of Responsibility in Los Angeles, to complement the Statue of Liberty in New York.

I'm not certain exactly what this Statue of Responsibility would look like. I'm not sure exactly where in L.A. it would sit. But as the West is now the hub of so much immigration into the U.S.—hence the place where so many future Americans are learning what "American" means; and as Los Angeles is a city that, rightly or wrongly, has a powerful influence on how we Americans see ourselves; and as responsibility is the sine qua non of the unprecedented personal liberty which still draws enormous numbers of people to our country, the general idea seems to me sensible and good.

A number of people have signed on to this idea of a Statue of Responsibility in the past year, notably best-selling author M. Scott Peck. Others have scoffed. One major Eastern newspaper portrayed the idea editorially as typically California—something out of Steve Martin's *L.A. Story*. They ended their commentary quite cleverly, suggesting that this statue, like the Statue of Liberty, would need a foreign sponsor. France, which was our ally in the American Revolution, gave us the latter. Perhaps we could contract with Singapore for the former, the editorialist suggested—alluding to last year's flogging in Singapore of an American citizen for defacing private property with spray paint.

Leaving aside the issue of corporal punishment, the fact is that graffiti and other manifestations of widespread disregard for property rights is a relatively new phenomenon among Americans. So is an illegitimacy rate that is soaring out of control. So are unimaginably huge budget deficits. Not to put too strong a point on it, but for a cynical editorialist to suggest, in the face of these problems, that responsibility is somehow less in keeping with the American tradition than liberty, is . . . well, irresponsible. Not to mention ignorant.

Indeed, it is not well known today, but as Charles R. Kesler, a government professor at Claremont McKenna College, has pointed out in a recent essay, the very word "responsibility" was invented in America during the debates over the Constitution in the 1780s. (According to Kesler, "the Oxford English Dictionary considered the word an American invention and credited its first appearance to [James] Madison's discussion of senatorial responsibility in *Federalist* No. 63. [But historian Douglass] Adair's research turned up earlier uses by Madison and James Wilson, beginning with . . . Madison's committee report to the Continental Congress on the Quartermaster Department [July 22, 1780].")

In contemporary America, the emphasis is placed on individual rights—very loosely construed, I might add—in a way that has led some—witness the above editorialist—to assume that obligation is a contrary notion. But without a common regard for our obligations or duties, our individual liberties are defenseless.

In the words of the Virginia Declaration of Rights, which preceded the Declaration of Independence by less than a month, "no free government, or the blessings of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by a frequent recurrence to fundamental principles." Or as so nicely put in the second stanza of *America the Beautiful*: "America! America! God mend thine every flaw. Confirm thy soul in self-control, thy liberty in law!"

So although I began above by quoting a Russian and an Englishman on "responsibility," the word is as American as the Fourth of July, and the ideas it encompasses are inseparable from liberty. A statue in its honor would be a fine way to remind us of this—and to stand as a symbolic guard, so that Alexander Hamilton's description of the fall of Athenian democracy might never be applied to the United States: "When the freedom they wished for most was freedom from responsibility, then Athens ceased to be free. And it was never free again."

—MICHAEL LEVINE

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Point/Counterpoint

RETHINKING JURIES

JAMES F. SWEENEY

LAST November, crime-weary Californians overwhelmingly passed the "Three Strikes, You're Out" initiative, imposing tough sentences on repeat violent felons, as if to place an exclamation point on the fact that the legislature and governor had already enacted a virtually identical law. Now it looks as if criminal justice reformers in the state were just getting started. In the wake of last year's hung jury in the notorious Menendez double murder case—and in the midst of the even more notorious O.J. Simpson trial—California lawmakers are taking an unprecedented look at altering the state's criminal jury system. Specifically, they are considering a repeal of the requirement that jury verdicts be unanimous.

In May, the Assembly's Public Safety Committee voted on a Republican-sponsored bill to amend the state constitution to provide that a 10-to-2 majority of jurors would be sufficient to convict or acquit in a criminal trial. The committee split along party lines, Republicans in favor and Democrats opposed, and the bill died in committee.

In July, however, the state Senate will consider a Democrat-sponsored bill which would implement an 11-to-1 jury verdict requirement. Sponsors believe they have the votes to get this bill to the Senate floor. Whether it will survive there, or in the at-least-nominally Republican-controlled Assembly, is anyone's guess. What is more likely is that if the legislature fails to act—or perhaps even if it does act—there will be serious efforts to place a jury system reform initiative on the state ballot in November 1996.

Californians would be well within their constitutional rights in passing such a reform. It was customary at the time of the American Revolution—under English Common Law—to require a unanimous jury verdict. (Ironically, England long ago abandoned this custom.) But the Framers of the Constitution chose not to incorporate this requirement into the Constitution or Bill of Rights. As a consequence, the U.S. Supreme Court has held that there is no constitutional right to a unanimous jury verdict: upholding the adoption of a 9-to-3 jury requirement in Louisiana, the majority on the court stated in 1972 that "three dissenting votes to acquit raises no question of constitutional substance about either the integrity or the accuracy of the majority verdict of guilt."

Apart from being constitutionally permissible, there are three basic arguments for non-unanimous verdicts. The first has to do with justice. Despite the concurrence of eleven jurors, a single juror can now prevent a conviction or acquittal by deadlocking or "hanging" a jury. Modern criminal defense attorneys, realizing that an acquittal is unlikely, are increasingly inclined to concoct bizarre defenses aimed to sway one or two jurors. Referring to the "trial of the century," for instance, CNN legal analyst Greta Van Sustern said recently on *Larry King Live* that, in the face of overwhelming DNA evidence, Simpson's defense lawyers have been "forced" to rely on a conspiracy theory in the hope that at least one juror might bite. This particular strategy, of course, appeals to racial distrust. The defense in the Menendez matricide-patricide case, "successful" only in the sense of having hung the jury, was, if anything, even more incredible.

Regardless, the defense hope in such cases is that the prosecution will prefer, for whatever reason, not to retry. Professor Alan Dershowitz, Harvard law professor and sometime member of the Simpson Dream Team, recently noted that "in most criminal cases a hung jury is a clear victory for the defendant, giving the defense considerable leverage in negotiating a favorable plea bargain."

This brings us to the second argument for a non-unanimous jury system—expense. As many as 80 per cent of cases which result in a hung jury and which are retried result in conviction. Yet considering that the average cost to the taxpayer of a felony trial in California is $10,000 per day, the cost of one or more retrials of the same case is often seen, quite rationally, as an unwarranted burden on the public treasury. For example, a current Orange County murder case has resulted in two deadlocked juries—the first hung 11 to 1, the second 8 to 2 (with 2 jurors declining to deliberate). It will have cost the county nearly $700,000 by the end of the second retrial. Whether it is retried or not, the public may well wonder how justice has been served by allowing a conviction to be blocked by a single juror in the first trial.

THE third argument for reform involves public trust in the criminal justice system. Confidence in the system's integrity and effectiveness is sharply on the decline. In an April 1995 Gallup poll, 45 per cent of those surveyed stated that the Simpson case has lowered their estimate of the criminal justice system. This is doubly dismaying in light of a September 1994 poll—before the Simpson trial started—suggesting that 55 per cent already had only some or very little confidence in the system.

Supporters of reform are also quick to point out that should California implement a non-unanimous jury system, it won't be blazing a trail into uncharted territory. Oregon and Louisiana have long allowed non-unanimous verdicts in non-capital criminal cases, Oregon requiring the concurrence of ten jurors, Louisiana nine.

Oregon has the most experience in this regard, its voters having amended the state constitution by way of ballot initiative in 1934. And the results have been exceptional. Consider only this: last year, four-tenths of one per cent of the criminal cases in Oregon resulted in hung juries, compared to a full 13 per cent in California. University of Oregon President David B. Frohnmeyer, a former state attorney general and professor of law, recently observed that "the quality of justice does not appear to be hurt by a less-than-unanimous jury," adding

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that a similar move by California was not likely—despite shrill claims by opponents—to place "the future of the Republic . . . in jeopardy."

Without a doubt, opposition to a non-unanimous jury system will be hard fought. But there appears to be considerable public support. A March 1995 poll commissioned by the California District Attorneys Association, a principal proponent of non-unanimous juries (along with most major law enforcement and crime victims' groups), indicated that a substantial majority of Californians favor adopting a 10-to-2 system. And should the Simpson jury deadlock—as is predicted by 60 per cent of California attorneys in a recent State Bar survey—most observers believe that the legislature will almost certainly respond to public anger by pre-empting the initiative process in this area, as it did last year with "Three Strikes." □

Should Conservatives Endorse Non-Unanimous Juries? A Dissenting Opinion

THE eminent jurist, William Blackstone, once remarked that "trial by jury is looked upon as the glory of the English law." Americans have shared in that glory by virtue of inheritance, and it has been, from the earliest beginnings of our nation, an integral part of the American tradition. But in response to the travesty of "liberalized" criminal justice, various reforms are now being debated, among which is the elimination of the requirement for unanimous jury verdicts in criminal cases.

Conservatives should be wary of supporting this proposal, notwithstanding its endorsement by the United States Supreme Court in the companion cases of *Johnson* v. *Louisiana* and *Apodaca* v. *Oregon* (1972) (hereinafter, *Apodaca*). The bare majority decision in those cases is somewhat less than a solid precedent, with a plurality of the more conservative Justices (Burger, White, Blackmun, and Rehnquist) holding in favor of non-unanimous verdicts, and the four more liberal Justices (Douglas, Brennan, Marshall, and Stewart) being in dissent.

Ironically, Justice Powell, who cast the deciding vote, emphatically disagreed with the plurality's conclusion that the requirement of unanimity was a hold-over from the Middle Ages, and not necessarily embodied in the Sixth Amendment to the Constitution. Rather, Powell based his concurrence on the notion that the Fourteenth Amendment, in making the Bill of Rights applicable to the States, did not incorporate every due process element of the Sixth Amendment. "In an age in which empirical study is increasingly relied on as a foundation for decision making," wrote Powell, our federal system "affords each State, if its people so choose, the opportunity to become a 'laboratory' and to experiment with a range of trial and procedural alternatives."

Powell's concurring opinion, with its emphasis on experimentation and empirical studies, is hardly the sort of constitutional jurisprudence of which conservatives generally approve. And, as pointed out in Justice Marshall's dissent, this "functional" analysis of the jury would allow future courts "to strip away, one by one, virtually all the characteristic features of the jury as we know it." Marshall's warning is not without merit, for surely, if the due process protected by the Fourteenth Amendment does not embrace the time-honored requisite of unanimous verdicts in criminal cases, there is little that can prevent other requirements, such as proof beyond a reasonable doubt and the presumption of innocence, from being whittled away.

The American public is justifiably outraged when it is informed of such things as the exorbitant cost of frivolous lawsuits filed by inmates, the gross abuse of the legal process by over-zealous attorneys, and the seemingly boundless privileges doled out to those convicted of the most heinous crimes. The problem of hung juries, however, pales in comparison to these and many other such absurdities. Unfortunately, as a result of the highly publicized O.J. Simpson debacle, public attention has been unduly directed toward the problems that can occur in the modern jury trial. Yet, if the jury has been demeaned in the public eye, it is clearly a defective legal process that has demeaned the jury and not the other way around.

"Sorry your bill was ruled unconstitutional, Ferguson, but it was fun while it lasted."

REFORM efforts should be directed first to the most egregious failures of our criminal justice system, including the reform of certain "protections" resulting from years of liberal judicial activism. This might include such recently fashioned liberalizations as the exclusionary rule, which keeps vital evidence from being heard, and thereby contributes to courtroom confusion and hung juries. In short, conservative political capital could be better invested in a campaign to abolish the genuinely ridiculous and cumbersome procedural requirements concocted by the courts in recent years, rather than the venerated due process requirements of trial by jury.

Conservatives should also bear in mind the host of morally ambiguous but more politically defined crimes—"environmental crimes," "hate crimes," and the like—which have been enacted into law. It would not require too great of a reversal in conservative political fortunes to have the unrestrained force of such laws come down upon business people, property owners, and other politically incorrect individuals. The prevention of "oppression by the Government," as admitted by the *Apodaca* majority, is "the purpose of trial by jury." To dilute that preventative effect for the sake of "greater efficiency in government" is not in accord with conservative principles. At this point in the life of the Republic, the American people do not require more efficient government—rather, they require less.

—ERNEST O. VINCENT

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Willie, Doris, and the GOP

REPUBLICANS in the California Assembly were over the moon last November. Sure, they only had a 41-39 majority. But after 25 years out of power—the last 14 under the humbling leadership of Speaker Willie Brown—41 seats looked like heaven on earth. When they talked of ousting Brown, the thrill was palpable.

But that was then, and now the thrill has gone. Much of the intervening drama has already been recounted in these pages. In December, Republican Assemblyman Paul Horcher, wooed and won over by the wily Speaker, shocked the state by voting for Brown against Republican Caucus leader Jim Brulte. Nearly six months later, Horcher was recalled by his constituents. Meanwhile two other Republican seats had fallen vacant, their occupants moving to the state senate. But one of these seats was to be filled on June 8, giving the Republicans a 40-39 majority, and Willie Brown would finally be toast.

Foiled again! As Willie explained boastfully in his inimitable (but never racist!) way, "The old white boys got taken fair and square." Square isn't so clear, but what happened was this: On June 5—two days after announcing his candidacy for mayor of San Francisco—Brown drew another Republican assemblyman, Doris Allen, into his orbit, electing her Speaker (and himself "Speaker Emeritus") with hers and all 39 Democrat votes. When word circulated a few days later that Willie had moved into Brulte's spacious minority leader's office, and that Brulte had been shunted over to Horcher's old diggings, how many glasses must have been raised to Brown in the Democratic drinking holes of Sacramento?

Who is this Doris Allen? First elected in 1982 as a pro-life, anti-busing school board trustee from Orange County, she has since become a darling of the very liberal California Teachers Association. And although she has never gotten along grandly with her fellow Republicans, to a one they seemed genuinely surprised when she crossed the aisle to become, by all indications, her predecessor's puppet.

The first clear sign that Speaker Allen is not her own man, so to speak, came when she handed the speaker's gavel back to Willie Brown after her swearing in. Later, when meeting individually with members to ask the price of their support, Allen was flanked by a top Brown lieutenant. And in a GOP Caucus meeting, when she was posed a series of questions about power sharing rules under her leadership, she answered candidly that she would "have to check."

These rules, agreed to by Allen as a price for the speaker's chair, ensure that there will be parity on all committees until late summer or early fall, despite the current 40-39 Republican majority. Furthermore, even after Republicans gain a 41-39 majority—as is expected by fall—parity will be maintained on the three most powerful committees—Rules, Appropriations, and Budget.

In a sense, Willie Brown is more powerful as "Speaker Emeritus" than before, now controlling in effect the resources of both caucuses. (Allen has fired all staff members of the Republican Caucus, with plans to rehire selectively, while not a single Democrat staffer has been layed off.) And with a few GOP quislings now making deals with Allen, Brown has the assembly organized potentially to keep the Republicans from asserting authority clear until the 1996 elections. No wonder he has taken to pontificating ad nauseam about the techniques of wielding power, as if he were George Washington Plunkitt, the Tammany Hall Senator who philosophized from the New York County Court House bootblack stand!

For their part, Republicans plan to mount an immediate recall effort against Doris Allen, to which (for starters) three Orange County legislators have pledged $100,000 each. If Allen's recall is as successful as Horcher's, the hope is that other Republicans will think twice before breaking ranks. Meanwhile, the longer California voters do not feel a reaction to their action last November—the longer they see no dramatic change in Sacramento such as they see now in Washington—Republican credibility in the state can only suffer.

Observers are drawing at least two lessons. One is that Republicans will have to get smarter. For instance, when Doris Allen ran this spring against fellow Republican Assemblyman Ross Johnson for an open state senate seat, GOP leadership unnecessarily backed Johnson. When Johnson won, then, they had lost a friend and gained an enemy in an assembly caucus where they couldn't spare a vote. Needless to say, Willie Brown saw clearly how to take advantage. (Quoth Plunkitt on retaining political power, "study human nature and act accordin'.")

The second lesson concerns term limits: passed to send a strong signal that government should be more responsive, term limits are making it difficult to enforce the party loyalty that responsive government requires. (Allen is up against term limits—as was Horcher—lowering the price of breaking with her party.) As good as he is, if Willie Brown arrived on the scene today, he would have a tougher time becoming a living legend. His timing, at least, was pure dumb luck.

Assembly Republicans could use some of that now too.

—BRIAN KENNEDY

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that the desire to destroy "valuable institutions" like welfare, Medicare, and legal abortion is both the objective and the matrix of terrorism. A *Time* magazine cover story argued that the Oklahoma truck bomb was the result of the phenomenon that turned Democrats out of office in November—"angry white men." The *New York Times*'s Frank Rich identified the dangerous ones as "Pat Robertson's militias" and recommended aggressive law enforcement against the right-to-life movement, the gun lobby, religious fundamentalists, and anti-government activists in general.

Such urgings, as well as the closing of Pennsylvania Avenue and plans to turn federal buildings into fortresses, encourage federal law-enforcement officials to think and act not as stewards of impartial law, but as warriors fighting the country's enemies. As they investigate and harass the Administration's least favorite people, resentment will spiral upward, and they will be increasingly likely to kill and be killed. Domestic political warfare has its own logic, which leads to opposing lists of heroes, martyrs, and targets for vengeance. A very bad logic to be shunned with all our powers. □

"Judas goat," who, he said, "sells information for money. If there is no information, he makes—he fabricates—information and then he goes and peddles it." Wilkins was acquitted.

The three Klansmen were then retried for the same crime on federal conspiracy charges. The expected double-jeopardy arguments were quashed. Once again, an all-white jury was empaneled. The arguments were the same, but this time the results were dramatically different: The jurors, mostly from small Alabama towns, found all three men guilty, and the judge imposed the maximum sentence of ten years. One of the three Klansmen died of a heart attack not long afterward, but Collie Wilkins and Eugene Thomas served full terms in federal prison.

The legal drama was far from over. Thomas, fresh from the guilty verdict in federal court, was tried in state court on murder charges in 1966. In the same Hayneville courthouse, he was acquitted by a jury of eight blacks and four whites. "Jury With Negroes Acquits Klansman in Liuzzo Slaying," was the surprised headline in the *New York Times*.

The case lay dormant until 1978, when it resurfaced during investigations of the FBI's covert Internal Security Counterintelligence Program, known as COINTELPRO. By now, J. Edgar Hoover was dead, and the program that had hired Rowe was under intense scrutiny, mainly for its infiltration of leftist organizations.

Much was revealed about Rowe, a former bartender and nightclub bouncer. The FBI thought he would make a plausible Klansman and asked him to join the Klan as a spy. Rowe was the agency's top informer there for years, partly because he threw himself so enthusiastically into Klan work.

The 1978 investigations implicated him as an *agent provocateur*, and he was accused of helping plant the bomb that killed four black girls in a Birmingham church in 1963. Wilkins and Thomas, now out of jail, walked away from their beer-drinking alibi and claimed they had seen Rowe kill Viola Liuzzo.

Rowe repeated his story that he had only *pretended* to shoot her. The Alabama district attorney thought otherwise. In November 1978, a grand jury indicted Rowe for first-degree murder in the killing of Viola Liuzzo. The state initiated extradition proceedings against Rowe, who was living in Georgia, where the FBI had given him a new identity under the witness-protection program.

In 1980, while Rowe was still fighting extradition, things got worse for him. An internal FBI file came to light which acknowledged that Rowe had led attacks on Freedom Riders, clubbing them with a lead-weighted baseball bat. The FBI paid the medical bills for Rowe's own injuries and gave him a $125 bonus. One of his FBI handlers was found to have said, "If he happened to be with some Klansmen and they decided to do something [violent] he couldn't be an angel and be a good informant."

Viola Liuzzo's children now waded in, smelling money. With the help of the ACLU, they sued the FBI for $2 million, charging that Rowe and, therefore, the Bureau were at least partly responsible for the death of their mother.

Luckily for Rowe, in October 1980 a federal judge blocked extradition to Alabama, saying that a federal "agent" has rights that protect him when "placed in a compromising position because of his undercover work." This surprising ruling, which exempted Rowe from any number of possible criminal charges in Alabama, was sustained by the federal appeals court.

The Liuzzo children did manage to get Rowe into court in Ann Arbor, Michigan, in 1982. Eugene Thomas repeated his 1978 allegations that the informer was Mrs. Liuzzo's killer. The judge disbelieved Thomas. He threw out the Liuzzo children's case, ordering them to reimburse the government the $80,000 it had spent defending itself.

The saga of the Liuzzo murder seems—finally—to have come to its sorry end, but there are lessons here. One is that the jury system, admirable as it may be in a homogeneous society, can crack under racial pressure. At least one of the four men who drove by Viola Liuzzo's car that evening fired the shots that killed her. All four may have been guilty of murder. There is only one thing that kept the state from getting a conviction: race.

The other lesson is that FBI infiltrators can cause a great deal of trouble, and leave mysteries that are never cleared up. In order to be accepted by the bad guys, they have to encourage people to break the law, or at least not discourage them, and they may sometimes break it themselves. It is always a temptation for infiltrators to encourage vicious behavior that they can then gloriously expose. And some, like Rowe, develop a taste for the very crimes they are supposed to help prevent. —JARED TAYLOR

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A Bridge Too Far

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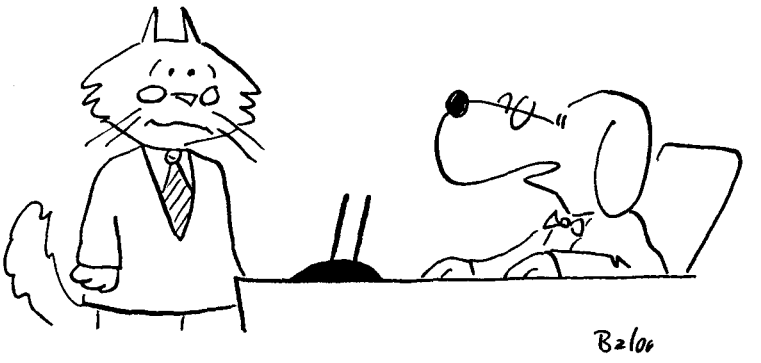

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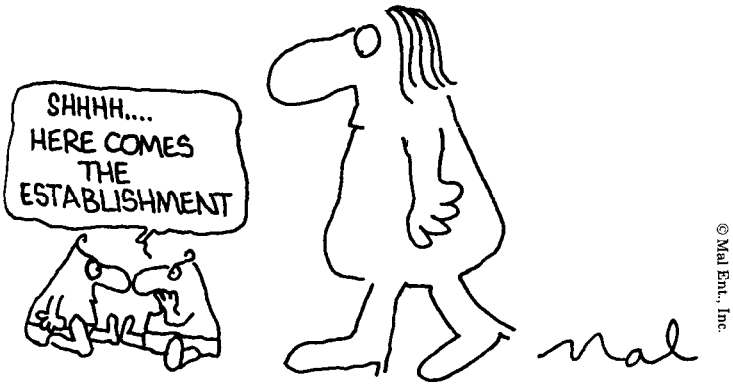

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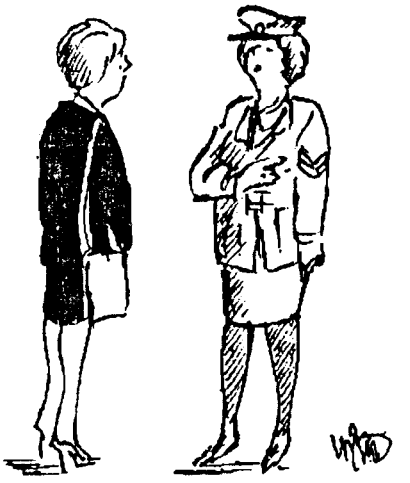
"Well, at least this is good news for me."



"One's for being heterosexual and the other's for not getting pregnant."

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Where's the Predictability?

A FRIGHTFUL SPECTER

Maverick Republican Arlen Specter is trying to convince mainstreamers that he is Reagan's heir. This will be a tough sell for the man who opposed Bork; but then, he also thought Anita Hill lied.

RICHARD BROOKHISER

'HERE'S the guy I'm backing," squawk-radio star Howard Stern announced one morning as he played "Hail to the Chief," then introduced Pennsylvania senator and GOP presidential hopeful Arlen Specter. "The number-one reason I like you for President," Stern said, "is that when I said your wife looked like Pamela Anderson [*Baywatch*, *Playboy*] you didn't know who that was. I *like* that. You don't have time to waste on these ridiculous shows." Specter said he watched C-SPAN. "*Boring*," said Stern. "That's what I like."

But enough about you. "Here is my assessment. Clinton is actually in good shape now, because the Republican front-runner is Bush."

"Dole," said Stern side-kick Robin Quivers.

Whatever. Stern dislikes Dole because he strokes social conservatives. "This bowing to the Religious Right will scare the majority of Americans." Specter, on the other hand, "says he's for abortion."

"I'm not *for* abortion," Specter interjected.

"*You* know," said Stern.

"What's with the flat tax?" Stern continued. "You into that now?"

Specter seized the respite of dollars and cents. "It's one thing to balance the budget. But we also have to have growth. Now that Jack Kemp is out of the race, I'm the only one who is for growth." He circled back to the social issues, in an effort to define them his way. "There is a very, very important place in public life for people with religious convictions. But Ralph Reed Jr. wants to impose his views on America. He wants to change the First Amendment. I can prove they're a fringe."

If Ralph Reed is a fringe, what is Specter? He cited a CNN/*USA Today* poll which "had us up to 4 per cent. That's not a big number. But when you start at zero . . ."

"That's the right direction!" said Miss Quivers.

Stern ended the segment by exhorting New Hampshireites who pick up his show from Boston: "Whatsa matter with you stupid skeeves? You hillbillies? . . . Get the maple syrup out of your ears, you friggin' lumberjacks."

"They're a great state, Howard," said Specter. "Their motto is 'Live Free, or Die.' "

Howard Stern, Kingmaker

HOWARD STERN is a serious man; he helped elect Governor George Pataki in 1994. It's not clear what Arlen Specter ultimately wants from the 1996 race. What is clear is that he likes to fight, and that his main tactic so far has been to pick a fight with the Religious Right.

Arlen Specter began his road to the Howard Stern show in Kansas. He grew up in Russell, home of Bob Dole. So this small Midwestern town has produced one man who might be the next President. Specter's father was a Jewish immigrant from Czarist Russia, and a wounded World War I vet who wanted the bonus that sent the Bonus Marchers to Washington during the Depression—facts which Specter cites as on-going influences on him.

Specter's career took him through some of the most contentious episodes in recent political history. Eight years out of Yale Law School, he became a staffer on the Warren Commission. David Belin, who also worked for the Commission, recalls Specter as "extremely competent" and "well organized." Specter came up with the theory that the bullet that passed through President Kennedy's throat and the bullet that wounded Governor Connally were the same (hence, no second gunman). There went Oliver Stone's vote.

Two years later, Specter ran for district attorney of Philadelphia. He was a Democrat, but the only openings were in the GOP, so he switched to fight. In Philadelphia at that time, the Republicans were the goo-goo, liberal party, so the switch was not so drastic. The Seventies were a fallow decade for him: he lost the district attorney's job in 1973, then lost two Republican primaries, for senator and governor. He finally won a nomination and his Senate seat in 1980, and was assigned to the Judiciary Committee.

One of the great trench wars of the

Mr. Brookhiser is an NR *senior editor.*

ILLUSTRATION BY ROBERTO PARADA

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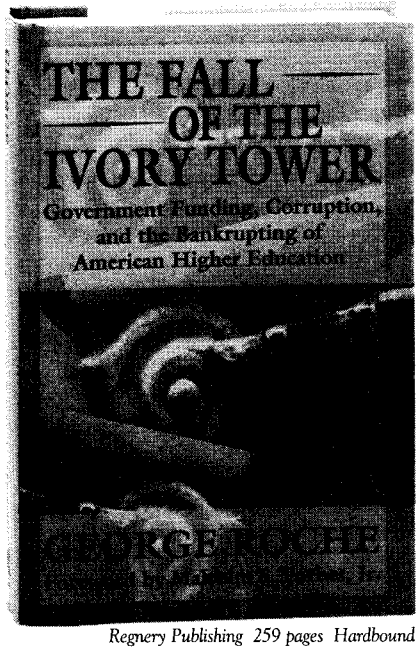
Reagan years was over judicial nominations. "He was always—repeat, always—a question mark," says Patrick McGuigan, who was then director of the Judicial Reform Project of the Free Congress Foundation. "He was not even a square liberal. You could have dealt with that. But he had to invent a moral dimension to fit his own complex political situation." At the end of his first term, he voted against the Reagan Administration in two bitter, losing battles: to make William Bradford Reynolds associate attorney general, and Jefferson Sessions III a federal district-court judge. An even more bitter vote came at the beginning of his second term, when Judge Robert Bork was nominated to the Supreme Court. Specter didn't like Bork's opinions—"in sharp variance from Justices from Holmes all the way to Chief Justice Rehnquist." But he also said he didn't like the possibility that they might not be Bork's opinions: "Where's the predictability?" Specter's announcement that he would vote against Bork marked the end of that battle. The mother of all battles came with George Bush's nomination of Clarence Thomas and Specter's questioning of Anita Hill. Anthony Lewis compared him to a "mean-spirited small-town prosecutor." Whatever his spirit or the size of his town, he relished the role. According to David Brock, when an aide presumed to pass him a prepared question, the aide was almost fired.

His Own Man

FORMER Senator Malcolm Wallop remembers his colleague as "bone dry. He was very taken with himself. He was not a strategic politician. He did not cobble together a group of politicians to get something done." David Buffington, editor of *Pennsylvania Report*, a local political newsletter, says that since the Thomas–Hill hearings, the Left hates him as much as the Right. But "everyone's always hated him. Arlen has no friends. He has allies. Every election he puts together a new coalition. He's a fighter, a tactician, a political junkie. He revels in this."

Specter has been feuding with fellow Republicans in Pennsylvania for years. He feared that the moderately conservative Richard Thornburgh would give him a primary battle in 1986. In 1994, he supported solidly conservative Rick Santorum's successful challenge to Senator Harris Wofford, but only after trying to persuade Senator John Heinz's widow, Teresa, to seek the nomination. (Teresa Heinz is now married to Democratic Senator John Kerry.) Democrats and feminists labored to knock Specter off in the Year of the Woman; Betty Friedan called him "Public Enemy #2," after George Bush. But his opponent, Lynn Yeakel, was a natural-born nonpol. She called Juniata County "Juanita County." Specter visited every county in the state, and eked out a 49 to 46 victory (a Libertarian got the remaining 5 per cent).

How does a man with no friends and a shaky base get to the White House? Specter has positions on a range of is-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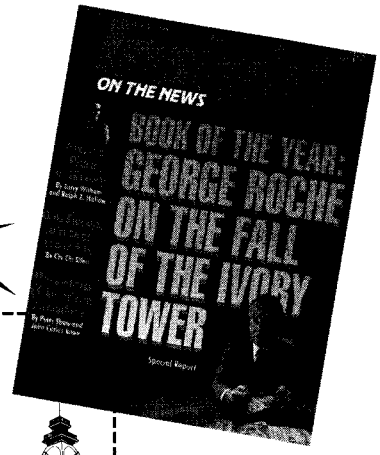

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sues. As a former DA, he talks tough on crime. His flat tax calls for a 20 per cent rate, with exceptions only for mortgages and charitable donations. He held Senate hearings on the militia movement after Oklahoma City, but he says he also wants hearings on Waco and Ruby Ridge. His main issue, though, is standing up to the Religious Right. When he announced his candidacy in Washington in March, he said that "neither this nation nor this party can afford a Republican candidate so captive to the demands of the intolerant Right that we end up re-electing a President of the incompetent Left. . . . I agree with Barry Goldwater when he said we need to keep the government out of our pocketbooks, off our backs, and out of our bedrooms." His anti-trinity is Pat Buchanan, Pat Robertson, and Ralph Reed, whom he always identifies as "Jr."

Roger Stone, his political guru, agrees with Howard Stern that the message has resonance. "Specter is philosophically closer to Ronald Reagan than Pat Buchanan." Then how did Reagan win twice with a—*Reaganite* position on social issues? "Reagan gave great lip service to the social issues, but he never did much. His affable personality persuaded people that he would not push his views on them."

In the short run, Stone looks for early bounces in Iowa and New Hampshire. "If Bob Dole is front-runner with 50 per cent, you can be second with 13 per cent." Some of those votes will come from Democrats. Stone notes that there will be no Democratic primaries, and that cross-registering is easy in both states. "That's how Hart won in New Hampshire in 1984." As he hopes to use the Right to woo terrified Democrats, he hopes to use it within the GOP as a debating partner. "Buchanan is our foil and we are his. . . . There are only two candidates with a real message, who know what each one thinks, and who say it."

"When you watch the audiences at Republican forums," says pollster Ed Goeas, president of the Tarrance Group, "Buchanan and Specter are the two candidates who generate a great deal of emotional attachment."

But seriously, folks. The summer stormlet that blows away by January is a feature of the election cycle. Tom Harkin, Paul Simon, Alan Cranston: where are they? Republicans who want to make a stand against the social conservatives will wait until Pete Wilson is up and lumbering. David Buffington has another idea. Suppose Specter "comes to the convention with a bloc of moderate delegates that he offers to someone in exchange for a Supreme Court nomination." It would be almost worth it, to have some Republican senator of the class of '94 ask the nominee, "Where's the predictability?" □

Costs and Remedies

LEGALIZING DRUGS: JUST SAY YES

Legalizing drugs may be the way to help addicts, and win the drug war.

AN INTERVIEW WITH MICHAEL S. GAZZANIGA

NATIONAL REVIEW: Professor Gazzaniga, thank you for talking with us again [cf. "The Federal Drugstore," *NR*, Feb. 5, 1990]. We would like to examine the possible consequences of legalizing drugs in America. However, before we take up this controversial issue, perhaps you can sketch a quick picture of drug use today?

DR. MICHAEL S. GAZZANIGA: The current figures suggest that about 10 per cent of Americans use illegal drugs. Of course, the vast majority of these users—perhaps as many as 90 per cent—are not addicted to drugs and use them only infrequently. There is also a strong correlation between age and drug use. In surveys, 13 per cent of 18- to 25-year-olds claim to have used drugs in the past thirty days, while a meager 4 per cent of people over age 26 say they have done so. So, while a substantial number of people have experimented with drugs in one way or another, very few become addicted.

NR: Are there any studies that help to explain why people take drugs—and why they don't?

MG: Human psychology is very complex; obviously, many factors go into the decision. Not surprisingly, the dominant factor seems to be simply the short-term pleasure of the drug experience. In other words, drugs make people feel good. This simple fact is what causes people to take these substances, sometimes at great medical and social risk. The long-term consequences are just not present in their minds at the moment of arousal.

NR: Nevertheless, the fear of being caught—and the consequences of being caught, like fines, confiscation, and jail terms—must deter drug use to a certain extent?

MG: Again, human psychology is more complex than a basic analysis of reward and punishment. There is a large project, near completion, at the Rand Corporation, that is producing a lot of information and analysis, including a cross-national analysis of drug policies and outcomes and a historical analysis of pharmaceutical records from the period when cocaine was legal in the United States.

Many of these studies challenge the empirical basis for using deterrence as a means of controlling drug use. For example, the Scandinavians imposed a severe penalty for having blood-alcohol levels above .08 per cent, regardless of a driver's behavior or demeanor. There was a transitory drop in road fatalities but then a return to baseline levels. This pattern is seen over and over again when severe penalties are imposed.

In studies that zoom in on individual people's actual beliefs, we also find

Dr. Gazzaniga is Director for the Center of Neuroscience at U.C. Davis.

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that the severity of penalties plays little or no role in controlling whether or not people prone to using drugs actually use them. This disregard for the law is truly remarkable since the cumulative risk of getting caught over an extended career of drug use is fairly high.

NR: So, you are saying that potential drug users are not all that sensitive to the threat of legal sanctions?

MG: Yes. Dozens of studies say exactly that.

NR: In that case, are there any other forces that control—and could therefore be manipulated by society to control—the decision to use drugs.

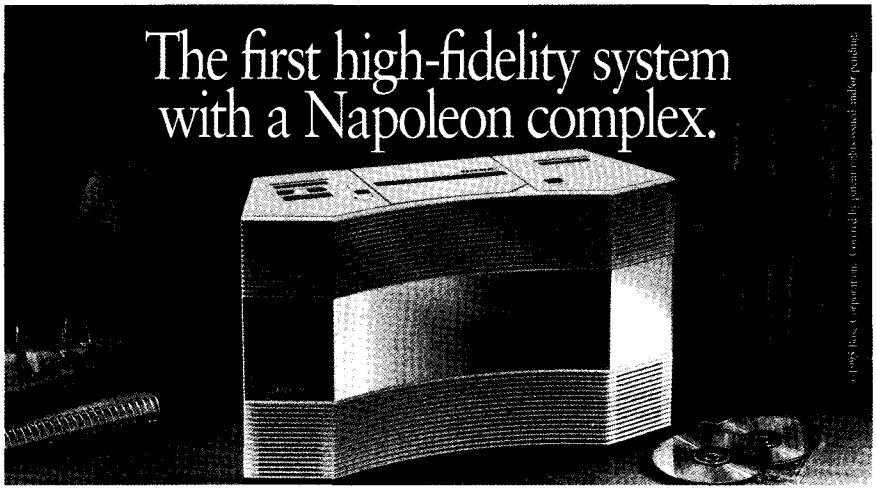
MG: There are several other forces at work here. One is the perceived health risk. If people believe that drugs are physically harmful to them, they are more likely to resist taking drugs. Other forces, such as a person's perception of the morality of the act, and perceptions of the morality of the law, also have an effect, as do stigmatization from being caught, shame, and other dimensions of humiliation. There are also informal social norms. Professor Robert MacCoun of UC Berkeley, whose study was part of the Rand project, makes a strong case for the importance of these factors. However, on the other side of the coin there is the forbidden-fruit effect, a process that may attract people to drug use. As I said, human psychology is extremely complex.

NR: You've considered drug use in terms of the individual user. Could you tell us a bit more about what drug use looks like from society's perspective? For example, what does drug use "cost" society?

MG: In terms of direct financial cost—money spent on drugs that could have been spent more productively—according to the Office of National Drug Control Policy [ONDCP] approximately $41 billion was spent in 1990, down from $54 billion in 1988. However, those numbers are probably highballs.

NR: Why is that?

MG: Drug expenditures aren't tallied accurately like your hotel mini-bar charges. There's a lot of very iffy guesswork. ONDCP tries its best by using two different methods. The "consumption" method involves multiplying estimates of the number of drug users by estimates of the average amount of drugs used. As you can imagine, nei-



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ther can be measured very accurately. So they try to verify these estimates by what they call the "supply" method, which estimates the amount of base crop raised in producer countries, reduced by the amounts lost, the amounts seized or consumed in other countries, and the amounts seized in our country. The remaining amount is then assessed for value by considering current street prices. So the supply estimate is only as accurate as the six other estimates it is calculated from, and as ONDCP acknowledges, there are even more uncertainties because much of drug value is bartered for sex or for other drugs.

NR: So it's possible that the drug market may not be as large as it is commonly represented?

MG: Yes. It is likely, in fact. In 1992, Americans spent approximately $44 billion on alcohol and $37 billion on tobacco. The number of Americans using these drugs is vast compared to those using illegal drugs. Furthermore, alcohol and tobacco are not only available everywhere, but are actively promoted. Taken together, it is hard to imagine that the illegal drug trade produces an income nearly equal to that of alcohol or tobacco.

The overall pattern of data collected by government agencies is also at odds with other common impressions. For example, how much of the drug busi-

Switzerland's Heroin Experiment

THE Swiss government is selling heroin to hard-core drug users. But in doing so the government isn't offhandedly facilitating drug abuse; it's conducting a national scientific experiment to determine whether prescribing heroin, morphine, and injectable methadone will save Switzerland both money and misery by reducing crime, disease, and death.

The Swiss deal with drug users much as the U.S. and other countries do—prisons, drug-free residential treatment programs, oral methadone, etc.—but they also know that these approaches are not enough. They first tried establishing a "Needle Park" in Zurich, an open drug scene where people could use drugs without being arrested. Most Zurichers, including the police, initially regarded the congregation of illicit drug injectors in one place as preferable to scattering them throughout the city. But the scene grew unmanageable, and city officials closed it down in February 1992. A second attempt faced similar problems and was shut down in March 1995.

So Needle Park wasn't the solution, but the heroin-prescription program might be. In it, 340 addicts receive a legal supply of heroin each day from one of the nine prescribing programs in eight different cities. In addition, 11 receive morphine, and 33 receive injectable methadone. The programs accept only "hard-core" junkies—people who have been injecting for years and who have attempted and failed to quit. Participants are not allowed to take the drug home with them. They have to inject on site and pay 15 francs (approximately $13) per day for their dose.

The idea of prescribing heroin to junkies in hopes of reducing both their criminal activity and their risk of spreading AIDS and other diseases took off in 1991. Expert scientific and ethical advisory bodies were established to consider the range of issues. The International Narcotics Control Board—a United Nations organization that oversees international anti-drug treaties—had to be convinced that the Swiss innovation was an experiment, which is permitted under the treaty, rather than an official shift in policy. In Basel, opponents of the initiative demanded a city-wide referendum—in which 65 per cent of the electorate approved a local heroin-prescription program. The argument that swayed most people was remarkably straightforward: only a controlled scientific experiment could determine whether prescribing heroin to addicts is feasible and beneficial.

The experiment started in January 1994. The various programs differ in some respects, although most provide supplemental doses of oral methadone, psychological counseling, and other assistance. Some are located in cities like Zurich, others in towns like Thun, which sits at the foot of the Bernese Alps. Some provide just one drug, while others offer a choice. Some allow clients to vary their dose each day, while others work with clients to establish a stable dosage level. One of the programs in Zurich is primarily for women. The other Zurich program permits addicts to take home heroin-injected cigarettes known as reefers, or "sugarettes," (since heroin is called "sugar" by Swiss junkies). It also conducted a parallel experiment in which 12 clients were prescribed cocaine reefers for up to 12 weeks. The results were mixed, with many of the participants finding the reefers unsatisfying. However, since more than two-thirds of Swiss junkies use cocaine as well as heroin, the Swiss hope to refine the cocaine experiment in the future.

The national experiment is designed to answer a host of questions that also bubble up in debates over drug policy in the United States, but that our drug-war blinders force us to ignore. Can junkies stabilize their drug use if they are assured of a legal, safe, and stable source of heroin? Can they hold down a job even if they're injecting heroin two or three times a day? Do they stop using illegal heroin and cut back on use of other illegal drugs? Do they commit fewer crimes? Are they healthier and less likely to contract the HIV virus? Are they less likely to overdose? Is it possible to overcome the "not in my back yard" objections that so often block methadone and other programs for addicts?

The answers to these questions are just beginning to come in. In late 1994, the Social Welfare Department in Zurich held a press conference to issue its preliminary findings: 1) Heroin prescription is feasible, and has produced no black market in diverted heroin. 2) The health of the addicts in the program has clearly improved. 3) Heroin prescription

Dr. Nadelmann, director of The Lindesmith Center, a drug-policy research institute, is the author of Cops across Borders: The Internationalization of U.S. Criminal Law Enforcement *(Penn State Press, 1994).*

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ness is centered on high-school and college students?

NR: Well, you're the one with the data. We'll guess at least half?

MG: According to ONDCP, only $2 billion of the $41 billion spent in 1990 was spent by high-school and college students. That is less than 5 per cent of the drug market, if their figures are correct. So, students are not the primary drug consumers.

NR: Even if we can't pin down an exact number, it is clear that a substantial amount of money is wasted by drug users on purchasing drugs. On the flip side of the coin, how much of society's resources are being utilized in the war on drugs?

MG: The cost of the drug war is staggering at every level of government—local, state, federal. For example, federal grants to state and local drug-enforcement programs are now nearly a billion dollars a year. Federal efforts on international drug control cost more than $800 million annually. Federal efforts on drug interdiction are now at least $2.2 billion a year. The total federal drug control budget is in excess of $12.5 billion a year, according to the 1992 *Bureau of Justice Statistics Sourcebook*. And these numbers do not take into account the huge amount of money spent by state and local governments out of their own tax sources.

NR: What about non-financial costs?

alone cannot solve the problems that led to the heroin addiction in the first place. 4) Heroin prescription is less a medical program than a social-psychological approach to a complex personal and social problem. 5) Heroin per se causes very few, if any, problems when it is used in a controlled fashion and administered in hygienic conditions.

Program administrators also found little support for the widespread belief that addicts' cravings for heroin are insatiable. When offered practically unlimited amounts of heroin (up to 300 milligrams three times a day), addicts soon realized that the maximum doses provided less of a "flash" than lower doses, and cut back their dosage levels accordingly.

ON THE basis of these initial findings, the Swiss federal government approved an expansion of the experiment—one that may offer an opportunity to address the bigger question that small-scale experiments and pilot projects cannot answer: Can the controlled prescription of heroin to addicts take the steam out of the illegal drug markets?

Switzerland's prescription experiment fits in with the two-track strategy Switzerland and other Western European countries have been pursuing since the mid-1980s: tough police measures against drug dealers, and a "harm reduction" approach toward users. The idea behind harm reduction is to stop pretending that a drug-free society is a realistic goal; focus first on curtailing the spread of AIDS—a disease that will have cost the U.S. $15.2 billion by the end of 1995, and the lives of over 125,000 Americans—and later on curtailing drug use.

The effort to make sterile syringes more available through needle-exchange programs and the sale of needles in pharmacies and vending machines epitomizes the harm-reduction philosophy. Swiss physicians and pharmacists—along with their professional associations—are outspoken in their support of these initiatives. Study after study, including one conducted for the U.S. Centers for Disease Control, show that increasing needle availability reduces the spread of AIDS, gets dirty syringes off the streets, and saves money.

The Swiss have also created legal *Fixerräume*, or "injection rooms," where addicts can shoot up in a regulated, sanitary environment. Swiss public-health officials regard this harm-reduction innovation as preferable to the two most likely alternatives: open injection of illicit drugs in public places, which is distasteful and unsettling to most non-addicts; and the more discreet use of drugs in unsanctioned "shooting galleries" that are frequently dirty, violent, controlled by drug dealers, and conducive to needle sharing. Five *Fixerräume* are now open in Switzerland. Initial evaluations indicate that they are effective in reducing HIV transmission and the risk of overdose.

So what does the future hold? Last month, Switzerland's governing body, the Federal Council, voted to expand the number of prescription slots to 1,000: 800 for heroin, 100 each for morphine and injectable methadone. Interior minister Ruth Dreifuss, who initially was skeptical of the experiment, is now a strong supporter. She is backed by the ministers of justice, defense, and finance, who together constitute what has become known as "the drug delegation" of the Federal Council. The three leading political parties have combined to issue a joint report on drug policy that supports the heroin experiment and other harm-reduction initiatives. Outside Switzerland, the Dutch are about to embark on their own modest experiment with heroin prescription. The Australians, who recently conducted an extensive feasibility study, seem likely to start a heroin-prescription program. In Germany, officials in Frankfurt, Hamburg, Karlsruhe, Stuttgart, and elsewhere are seeking permission from the central government to begin their own heroin-prescription projects.

While these countries experiment with more sensible and humane approaches to drug policy, the United States clings to a war not only against drug dealers, but also against drug users. Most scientific researchers studying drug abuse acknowledge that the Swiss experiment makes sense socially, economically, and morally. The point of these innovations isn't to coddle drug users. It's to reduce the human and economic costs of drug use—costs paid not only by users but also by non-users through increased health-care, justice, and law-enforcement expenditures.

But no distinguished researcher seems prepared to take on all the forces blocking a heroin-prescription experiment in the United States. Through our reticence, we are shutting our eyes to drug policy options that could reduce crime, death, and disease and ultimately save this country billions of dollars. —ETHAN NADELMANN

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Certainly the criminal-justice system must be heavily burdened by the war?

MG: No question. In 1989, 1,247,000 people were arrested for drug-related offenses. Two-thirds of those arrests were for possession only, and most of those were for marijuana. As for incarceration, in 1990 there were 930,000 inmates across America in federal, state, and local prisons. Of these, 50,000 were in federal institutions, and of these, half were in prison for drug offenses. Of the 684,000 prisoners in state prisons, no less than 22 per cent were being held for drug offenses. The courts and jails and prisons are just jammed with drug offenders.

NR: We've eased toward the issue of legalization, and now we'll ask you straight out. Why not legalize drugs?

MG: Adversaries of drug legalization or decriminalization feel that relaxing drug laws will lead to increased consumption. They submit that the increase in consumption in turn will produce an unacceptable burden on society. This single point, for example, is the basis for James Q. Wilson's anti-legalization position. However, there are several reasons to think this concern is misplaced.

Studies on the decriminalization of marijuana suggest that it leads to no significant increase in consumption. Now, these studies have been contested because decriminalization occurred at a time when overall drug use was declining for many other reasons. However, recent re-evaluations of Prohibition data are consistent with the value of drug legalization.

Furthermore, current surveys indicate that among non-users, only 1.7 per cent thought that, if drugs were legal, they would become users. Addicts did say they might use more. But controlled users thought their own use would be unaffected.

These answers make sense, if you think about it. As I mentioned before, the legality of drug use is only one among many factors that a person considers when deciding whether or not to use drugs. At least as important are considerations such as risks to health, costs in terms of lifestyle, the morality of the act.

NR: But wouldn't lots of people "try it out" if it were legalized?

MG: It's possible that there would be a minor bulge in drug use immediately after legalization—again, the forbidden-fruit phenomenon. But think about it. Suppose heroin were legalized tomorrow and available everywhere. Would you suddenly become an addict, or even a user? Probably not. Well, why not? Because you would decide that the pleasure does not outweigh the risks.

As for current addicts, if they did use a little more, that would not necessarily increase their inability to function, or further impair society's efforts to deal with them. Addicts already cause harm to themselves and present a danger to others. But there is a limit to the amount of harm they can inflict on themselves and to the degree of risk they can present to society. Is a bum on the street much worse off if he drinks four bottles of Jack Daniels a day instead of only three? Is society much worse off?

NR: Then the question, perhaps, is, Would there be more addicts if drugs were legalized?

MG: If non-users are unlikely to begin using drugs, as we've discussed, new addicts would have to come from the ranks of controlled users. As I said, controlled users believe their drug use would be unaffected by legalization. Is this a credible belief? Absolutely. Because drugs are already widely available, controlled users could use more right now if they wanted to. They choose not to use more because they have determined how much they can take and still function. In other words, they regulate their own behavior. And for that reason, they would be no more likely to become addicts post-legalization than they are right now.

NR: This may be a naïve question, but are drugs really that widely available?

MG: National Institutes of Health studies show that perceived availability has remained consistently high for marijuana since 1975. As it has for cocaine. Furthermore, from 1988 to 1992 drug availability, by and large, increased—despite the war on drugs. There was a 2.5-metric-ton increase in marijuana, with a peak in 1989–90. Cocaine, according to the Drug Enforcement Administration as of 1993, "remained readily available in virtually all major U.S. metropolitan areas." Heroin is available, and its purity has increased. There are some regional variations in this pattern, but overall, drugs are everywhere.

NR: So legalization would not affect availability. However, the street price of drugs is artificially inflated because drugs are contraband. If the price of drugs dropped precipitously—as presumably it would if they were legalized—could this lead to increased consumption? Perhaps controlled users are controlled partly by the high price of drugs.

MG: Lower prices might mean increased use, but the data on this point are mixed, and there is some indication that drug users are insensitive to price. That is, that they use similar amounts regardless of the price of drugs. And again, consider alcohol. It is widely available and inexpensive, but not everyone is a drunkard. In fact, attitudes have changed markedly as far as drunkenness is concerned. In the decades after Prohibition was repealed, drinking hard liquor was a way of showing how sophisticated you were, how you were more urbane than the rubes in the Women's Christian Temperance Union. Think of the image of cocktail parties, of the Thin Man movies in which much of the humor revolved around getting drunk, of Dean Martin's shtik. Nowadays public drinking of hard liquor to the point of slurring and dizziness is just tacky. Square, corny old Johnny Carson had a running joke where he affectionately teased Ed McMahon for his excessive drinking. Cool, hip Letterman and Leno wouldn't be caught dead doing it. These pushes and pulls to alcohol use have nothing to do with jail or availability or price and everything to do with social mores. There's no reason to think that the psychology of drug use is any simpler.

NR: So is the "bulge" you mentioned earlier something like the post-Prohibition bingeing you just described?

MG: Yes. But there is an important difference. Just after Prohibition was enacted, the drinking rate fell off sharply. However, throughout the Twenties the drinking rate rose, despite Prohibition, and it was on the rise when Prohibition was repealed. By contrast, drug use is *down* in every age group and across all sectors of society, and it is continuing to fall. Just as an example, in 1973, 37 per cent of 18- to 25-year-olds said they had used drugs in the previous month. In 1992, only 13 per cent said they had.

NR: That would seem to prove the point of the prohibitionists: it's the war on drugs that has caused drug use to go down.

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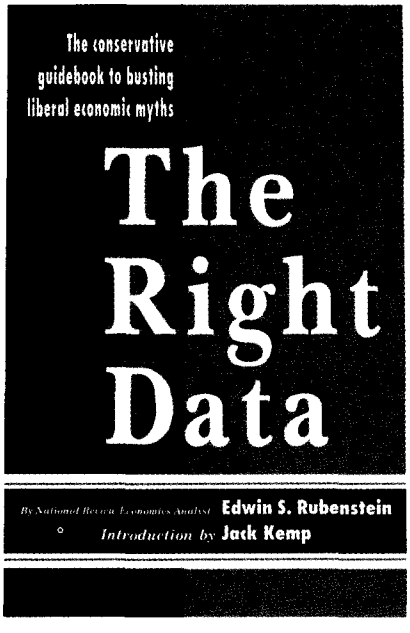
Darkness reigned. For although the deeds of the man known as Reagan had brought labor and plenty for the multitudes, his enemies fell to envy. And the liberal politicians swore oaths and cast aspersions on his deeds, and plotted revenge. And liberal economists sowed lies and deceptions among the multitudes. And the multitudes were confused.

But there came forth light from the pages of the magazine known as *National Review*, beloved by many for its wisdom. And the light which it brought forth blinded the legions of deception, and shone on the truth of the decade known as the Eighties. And bearing witness to the truth was the man known as Edwin S. Rubenstein, the Economics Analyst of *National Review*, who smote the liberal lies in his column "Right Data." And bearing further witness to the truth was "The Real Reagan Record," which was brought forth to much acclaim, but for the evildoers, who cursed it, and which set right the deeds of the man known as Reagan. And the editors of the magazine known as *National Review* saw the multitudes hunger for the economic truth on taxation, welfare, health care, income distribution, the deficit, federal spending, government regulations, and more. And they saw the multitudes yearning for deliverance from the economic deceptions that fell from the mouths of liberals.


The conservative guidebook to busting liberal economic myths
The Right Data
By National Review Economics Analyst Edwin S. Rubenstein
Introduction by Jack Kemp

And the editors of the magazine known as *National Review* gathered up all the works of the man known as Rubenstein, and had him collect hundreds of charts and graphs that spoke with clarity on the many issues on which the multitudes yearned for truth. And the man known as Rubenstein did thus, and he called his charts and graphs "Raw Data." And to these things was joined "The Real Reagan Record."

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MG: No. The drug war targets three specific factors that affect the drug-use rate, namely the availability of drugs, the perceived risk of arrest or legal sanction, and the perceived risk to personal health. As far as drug availability is concerned, the drug war has been a total failure. Drugs are as widely available now as they ever have been. The risk of arrest has certainly increased—since 1985 drug arrests have gone up from 718,000 to 1,247,000 a year. Remember, though, studies indicate that the perceived risk of arrest is often ignored by drug users. Finally, health-education programs are widely promoting the belief that drugs are bad for bodily and mental health.

So, the war on drugs may be having an effect. But it is important to understand that that effect is created through several approaches. I don't know if the risk of arrest reduces drug use more than education does—or even if it reduces drug use at all. However—and this is an important point—if drugs were legalized, health-education programs would continue to disseminate information. And they might then have the resources that now go wastefully toward trying to decrease availability, and toward arresting people. If we could have the same level of drug use through simple education programs, wouldn't we as a society prefer that to incarcerating millions of our citizens?

NR: Isn't there also a financial dimension? Education might be far less expensive than our current full mobilization of the judicial system, would you agree?

MG: I have seen only one attempt at estimating the potential costs and savings that would accrue to society from legalization. In a recent book, *Prohibition's Second Failure*, Theodore R. Vallance, former chief of the Planning Branch at the National Institutes of Mental Health, laid out a proposal based on his experience and research. His main professional effort for many years was to come up with estimates and plans concerning America's drug problem.

Vallance's analysis builds on several sources. First he used the 250-page report prepared for the NIH by Dorothy Rice and her colleagues at the University of California. Dr. Rice compared the direct and indirect costs of alcohol and drug abuse as well as of mental illness. Direct costs refer to actual program expenditures such as those by health professionals, the police, the courts, and the prison system. Indirect costs refer to such things as premature mortalities and morbidities due to substance abuse. These reflect real losses in terms of productivity and participation in normal society. Not surprisingly, alcohol costs society more than illegal drugs: in 1985, $70 billion versus $44 billion. For alcohol, most of the cost was for treatment and estimated damage to personal health. For drugs, most of the cost was for law enforcement and losses sustained by crime victims.

NR: Could you break those numbers down a little?

MG: Yes. Let me just review the drug-abuse numbers. Again in 1985, the year that was analyzed in such detail, $13.5 billion was spent directly on the criminal-justice system—police, legal adjudication, state and federal corrections, local corrections, private legal defense, and so on. There was another $19 billion in the indirect-costs category: around $1 billion for victims of crime, $4.4 billion in loss of productivity for those incarcerated, and $14 billion in loss of productivity for those in crime careers. Throw in around $10 billion for the costs of treatment, and you have the 1985 estimate of $44 billion. The figures for direct costs are surely much higher today. For example, totally new moneys in the amount of $6 billion were added by the Bush Administration for new task forces, prisons, interdiction programs, and many, many other projects. A realistic current figure would be around $100 billion a year.

Vallance does not, however, simply summarize the past. He uses the Rice data, combines it with 1993 data on extra expenditures for enforcement, and comes up with the startling conclusion that legalizing drugs could save society approximately *$37 billion* a year! In fact, I am sure his estimate is low, given the documented increase in the direct costs already discussed. (See table.)

NR: So the Vallance estimate is about $37 billion, and you say that it is probably low. How did he estimate how much of the saving should be reinvested in treatment? And how do you measure other dimensions of the problem like reduced suffering that might occur under a legalization scheme?

MG: He was making best guesses based on his experience, which he writes about with great verve. For years he had been pushing alternative plans within the government, only to be scolded by his superiors for attempting to question other government agencies' capacity to deal with the drug problem. But he emphasizes that the details could all vary a bit, but the overall pattern of the savings would remain the same.

It is another matter to find a metric for human suffering. Surely a legaliza-

Reductions (in millions of $)	From	To	Saving
Direct			
Law enforcement	13,203	3,300	9,903
*Interdiction costs	2,200	0	2,200
*International anti-drug	768	384	384
*OCDETF (Organized Crime & Drug Enforcement Task Force)	399	40	359
ONDCP (the "drug czar")	69	17	52
Indirect			
Victims of crime	842	210	632
Incarceration	4,434	887	3,547
Crime careers	13,976	2,679	11,297
Subtotal			28,374
Less increase in prevention research and service			(3,572)
Less increase in treatment research and service			(2,802)
Subtotal			22,000
Plus net income from drug taxes			15,000
Total			37,000

*1993 Figures.

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tion scheme ought to find people less fearful of criminal activity in their neighborhoods. Parents should feel better knowing the police could concentrate on those criminal forces that would continue to peddle drugs to children. Addicts ought to feel better knowing that society is dealing with their problem from a health point of view, and surely there would have to be more programs to assist those who abuse drugs.

NR: Thank you for your time, Professor Gazzaniga. □

War against Laughter

A GOOD MAN IN AFRICA

The Nigerian dictatorship is fighting back against the weapon it fears more than anger.

ANTHONY DANIELS

THE last time I visited the Nigerian writer Ken Saro-Wiwa, in his office on the Aggrey Road in Port Harcourt, there was a naked body, bloated with decomposition, lying in the gutter about a hundred yards down the road. An announcer on the local radio station appealed for its owner, whoever he might be, to come and take it away.

Whatever Nigeria's shortcomings in other respects, it provides writers with a great deal of material. Saro-Wiwa, the author of a beautiful and moving novel of the Nigerian civil war, *Sozaboy,* and of an immensely popular television series satirizing the get-rich-quick mentality of the Nigerians, *Basi and Co.*, is now at the center of his own drama. He is accused of incitement to murder, and is currently on trial for his life before a special tribunal in Port Harcourt, along with 14 other defendants. If the verdict is guilty, the death sentence is mandatory and can be altered only by the Armed Forces Ruling Council.

Saro-Wiwa gave up his writing a few years ago to campaign politically. There are times of crisis, he told me, when pleasant literary pursuits have to be forgone for the sake of more important matters.

Dr. Daniels is the author of Utopias Elsewhere.

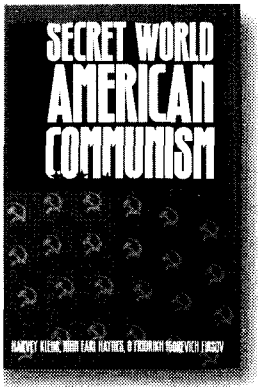
Saro-Wiwa belongs to a small ethnic group called the Ogoni, who inhabit an area of the Niger Delta from which a high proportion of Nigeria's oil is extracted. Ogoniland covers some 400 square miles, and has half a million inhabitants. According to Saro-Wiwa, none of the oil revenue has been returned to Ogoniland; it has been used instead to enrich a rapacious Nigerian elite and to build an extravagant new capital city, Abuja. In the meantime, Ogoniland has been utterly ruined for its inhabitants by pollution.

In response, Saro-Wiwa and others founded the Movement for the Survival of the Ogoni People (MOSOP). In 1991, MOSOP organized a peaceful demonstration of up to 300,000 people in Ogoniland to protest the federal government's policies, and also the Shell Oil Company's methods of extraction.

Nothing like it had ever been seen in Nigeria, and the government—a military dictatorship tempered by corruption and incompetence—was frightened. The last thing it wanted was an inquiry into where the country's vast oil revenues were going.

But MOSOP split into opposing factions, one of them led by Saro-Wiwa. On May 21, 1994, a meeting was held in Giokoo, attended by some of Saro-Wiwa's opponents. It was attacked by a mob, which killed four people in brutal fashion. Saro-Wiwa, who was not

"**An extremely important new book.**"—William F. Buckley, Jr., *New York Post*



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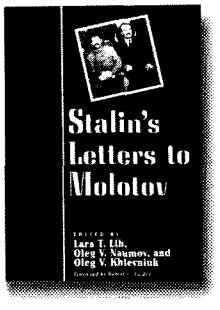

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present, was arrested (not for the first time) along with many others, and held for several months without charge. It was eventually alleged that he had told his supporters to "deal with" his opponents, and was therefore guilty of incitement.

That he should be tried by something called a Civil Disturbance Special Tribunal, from whose decision there is no right of appeal and over which the military exercises considerable influence, rather than by an ordinary court of law, must raise strong suspicions that the military government is trying to remove Saro-Wiwa from the scene. Two of the chief prosecution witnesses have already signed affidavits to the effect that they were bribed to testify against Saro-Wiwa, and against the other defendants.

Perilous Laughter

IT IS not only the partiality of friendship, I think, which makes me write that Ken Saro-Wiwa is an unlikely promoter of savage violence. Whenever I met him, either in Nigeria or in London, he struck me as a man of the greatest good humor, who found the corrupt antics of various Nigerian governments amusing as well as disgraceful. He called his opponents in the government, even after they had arrested him once before, *rascals*—not a word a fanatic would use.

Unlike many African (and other) intellectuals, Saro-Wiwa is not a snob. He is unashamed of the fact that for many years he earned his living as a grocer, and even says that he enjoyed it: for a shopkeeper soon learns a great deal about human nature, rather as a doctor or a priest does.

And Saro-Wiwa was unembittered even after personal tragedy struck. Being an admirer of traditional British education, and having made sufficient money to do so, he sent his sons to Eton, where one of them died suddenly on the playing fields, of a rare heart complaint.

In fact, it is not Saro-Wiwa's fanaticism that the Nigerian government fears, but his lack of it. His capacity to laugh at wrongdoing, to turn it into comedy, is far more subversive and therefore dangerous than pious denunciation, especially in a country such as Nigeria, where the ridiculous is a way of life. The present head of government, General Sani Abachi, is trying to be a *real*, full-scale dictator, which is why he must eradicate both those who laugh and laughter itself. □

The Religious Right and Its Enemies

ANTI-SEMITISM AND OUR COMMON FUTURE

The Left has found the weapon it was seeking, and never mind the details.

RICHARD JOHN NEUHAUS

WITH a somewhat wearied sense of necessity, one turns, yet again, to the question of what is and what is not anti-Semitism. Jewish–Christian tensions and the attendant charges of anti-Semitism are a staple in American public life, and will be for as long as some Christians view Jews as alien and many Jews view Christianity as threatening. Of course these perceptions feed each other. As weary as we might be of the subject, Christians must continue to pay attention. Jews, given their demographic marginality joined to their social influence, have no choice but to pay attention.

The current round of controversies has everything to do with the political shock of November 8, 1994, and alarms over the perceived ascendancy of the Religious Right. As a result, some Jews have ratcheted up to an almost painful degree their antennae for the detection of anti-Semitism. A few months ago, the *New York Times* went ballistic when the London *Spectator* ran a little article on the self-described dominance of Jews in Hollywood. The somewhat naïve *Spectator* author thought he was doing nothing more than reporting an interesting circumstance, and, as it turns out, he was in large part relying on what Jewish writers had said about Jews in Hollywood. The young man did not understand that non-Jews are not supposed to notice when Jews publicly celebrate Jewish influence and success. As anyone familiar with American history knows, the large role of Jews in American popular entertainment goes back to the nineteenth century and, far from being a secret, has been frequently extolled in film and song. With weeks of letters and commentary in the *Spectator*, our British cousins had great fun with this little squall, chalking it up as yet another instance of American hypocrisy about our professed devotion to free speech.

Another young man, hardly so innocent, has been doing his partisan best to exploit the political potential of Jewish–Christian suspicions. Michael Lind, now of *The New Republic*, pushed the button for big-time attention when he rabbled the readers of *The New York Review of Books* with a slashing indictment of Pat Robertson, who, according to Lind, runs the Christian Coalition, the Religious Right, the Republican Party, the pro-family movement, and just about everything else that Mr. Lind doesn't like about America. The charge, as best we can understand it, is that Robertson's vast conspiracy is exceedingly dangerous because Robertson believes there are vast conspiracies.

Mr. Lind thought he hit paydirt with the 1988 book, *The New World Order*, in which Robertson tells you everything you wanted to know, and more, about how the world got into its present sorry shape. Robertson's eccentric and sometimes bizarre account of modern history gives a prominent

Father Neuhaus is president of Religion and Public Life and editor-in-chief of First Things, *in which a longer version of this essay first appeared.*

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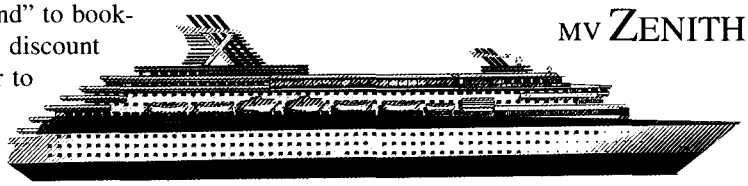

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role to, among others. "European financiers" who allegedly have been pulling the strings of global politics for a very long time. Lind pounces on the fact that some of the sources cited by Robertson are also cited by anti-Semites who explain modern history by reference to the machinations of "Jewish bankers." That Robertson refers to them as European rather than as Jewish is clear evidence, to Mr. Lind, that Robertson not only is anti-Semitic but is trying to disguise his anti-Semitism. He is the worst kind of anti-Semite, the kind that refuses to criticize Jews. The ever-so-devious Robertson also cultivates Jewish leaders, invites them to speak at his public meetings, and has a Jewish attorney heading his religious-freedom organization. Is more evidence needed?

Frank Rich, Attack Dog

FRANK Rich, columnist for the *Times*, picked up on the Lind article to demand that the media dig into Robertson's putative anti-Semitism. Rich has been described as the *Times*'s attack dog, which while not very nice, is apt enough. He comes across as a toy Doberman in perpetual snit. His attack elicited an extended response from Robertson, which the *Times*, to its credit, published. Robertson explained that *The New World Order* was written at the height of the Gulf War, when he was worried about the compromise of U.S. sovereignty and Israeli safety in a "New World Order" under the aegis of the United Nations. He continued: "All who know me, Jewish and Christian, recognize that I have been one of the strongest friends of Israel anywhere in the world. In 1974, when Israel appeared threatened and alone as a result of a worldwide oil crisis, I made a vow that I have kept to this day: I promised to use my influence, and that of the institutions I founded, to vigorously support Israel and the Jewish people. . . . I have lobbied for Israel, and donated hundreds of thousands of dollars to Jewish interests and organizations. By every public word and deed, I have kept my promise."

Frank Rich was not impressed. A few days later he barked back with a column imaginatively titled "The Jew World Order," in which he notes that Louis Farrakhan accuses "international bankers" of nefarious doings and so does Pat Robertson. So there. "Our two most prominent extremists of the 1990s," wrote Rich, "are both dipping into the same well of pseudo-history that once served Father Coughlin and Henry Ford." This is high hysteria even for a toy Doberman. Pat Robertson has as much in common with Farrakhan as Frank Rich has with ordinary decency.

Lest he overlook anyone, Rich's column concludes with the shocking report that Patrick Buchanan wrote that Robert Rubin, secretary of the Treasury, supported the Mexican bailout to enrich his old investment firm of Goldman, Sachs. (Rubin, Goldman, Sachs. Get it?) Never mind that many critics of the Mexican bailout, including perhaps a majority of members of Congress, claimed that its chief purpose was to save Wall Street from its own investment follies. Never mind that in the very same issue of the *Times* television critic Walter Goodman gives a favorable review to Bill Moyers noting that he injects a note "more populist than partisan" when "he criticized the bailout of Mexico as benefiting mainly [U.S.] investors."

"You caught me at a bad time—I'm in!"

As one story triggers another, the *Wall Street Journal* has this big item by Jonathan Kaufman on Jews who see "a rise in bigotry." A Jewish woman in Birmingham, Michigan, reports that parents in her son's sixth-grade class have complained that the children can't sing "Silent Night," and a classmate told her son he didn't like having to learn about Hanukkah. "Mrs. Wagenheim," reports the *Journal*, "watched with growing alarm as Washington politicians proposed reintroducing school prayer." " 'I thought I could be like everyone else,' Mrs. Wagenheim says. 'But now we seem to stand out more. I never felt like this before.' " Apparently it has only now occurred to her that 98 per cent of Americans are not Jewish. If one belongs to a very high-profile group that is no more than 2 per cent of the population, standing out should not come as a surprise. It might even be cherished as a distinction.

Rabbi Peter Rubinstein of New York's Central Synagogue says, "To be a Jew is not to be any more in the mainstream of America. You watch the Republican conventions, you read the Contract with America, you listen to talk radio. Before I could have accepted that, as a Jew and as an American, my yearnings were going to be harmonious. Now, I'm not so sure." It would seem that the rabbi's anxieties have nothing to do with being Jewish and everything to do with being politically liberal (78 per cent of Jews voted Democratic last November). The *Journal* cites other instances of the perceived rise in "bigotry." In Phoenix, some Jewish homeowners found advertisements on their doorknobs promoting a free video on the life of Jesus. A rabbi reports that a child was handed a book by a fifth-grade classmate and told, "Read this." The book was about Jesus. Says the rabbi, "Peo-

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ple are starting to talk in terms of, 'We are being persecuted.'" A little boy wants to share his faith with his Jewish classmate. Can pogroms be far behind?

The *Journal* suggests there is now a "role reversal" between the Orthodox and what it calls mainstream Jews. Mainstream Jews, it says, never felt anti-Semitism was a part of their lives, while the Orthodox were ever alert to anti-Jewish expressions. This is very dubious history. It is liberal and secular Jews who chiefly support the hyper-sensitive institutional alarm systems that flash "Anti-Semitism!" at the suggestion that Jews are not just like everybody else. The Orthodox have always known that being Jewish makes a difference, and should make a difference.

Some knowledgeable Jews have a similar take on what is happening. William Kristol observes that alarm about anti-Semitism "often does verge into paranoia among Jews." As for his own view, Kristol says, "I prefer the Christian Right to the pagan Left." Norman Podhoretz observes that conservatives don't hate Jews. "They hate liberals. As it happens, most Jews are liberals." Midge Decter's 1995 Erasmus Lecture, sponsored by *First Things*, is titled, "A Jew in Un-Christian America." If the choice is between a dominantly anti-Christian elite culture and the majority culture of Christians, she suggested, Jews have compelling prudential and religious reasons to side with the Christians.

Another piece of nastiness that has received almost no attention in this country is a controversy generated over Human Life International, a pro-life organization based in Maryland that this spring held its convention in Montreal. B'nai B'rith of Canada launched an all-out campaign against HLI, charging that it is an extremist organization guilty of anti-Semitism. In a campaign that received massive media attention in Canada, the prime exhibit in support of the claim that HLI is anti-Semitic is a chapter in a book by Father Paul Marx, *Confessions of a Pro-Life Missionary*. Marx is a Benedictine priest and founder of HLI, and he deplores the prominent role of Jews in the pro-abortion movement, arguing that Jews, of all people, should recognize the consequences when human life is devalued.

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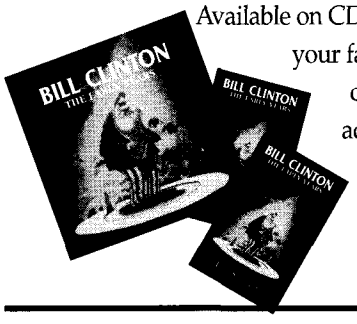

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Marx's observation may be injudicious, but it is hardly anti-Semitic. No reasonable person will dispute the fact that Jews are disproportionately represented among the promoters of abortion, and drawing analogies between abortion and the Holocaust is hardly "extremist." Without taking a position on abortion, a number of prominent Canadian Jews courageously challenged the slander perpetrated by B'nai B'rith. In this country, Monsignor George Higgins devoted his column, which has a wide readership in the Catholic diocesan press, to the HLI affair. Monsignor Higgins accused HLI of engaging in a "flirtation with anti-Semitism," and says that the fact that bishops are associated with HLI makes it difficult for Jews "to distinguish the preachments of HLI from the official teaching of the Church, which clearly condemns forays into anti-Semitism." The Catholic Church does indeed condemn anti-Semitism in all its forms, but, *pace* Monsignor Higgins, there is no evidence that HLI is guilty of it. The Anti-Defamation League promptly commended Monsignor Higgins for his bold opposition to anti-Semitism.

Demand-Side Anti-Semitism

THE happy fact is that anti-Semitism in America has dramatically declined in the last fifty years. It is kept alive at the margins by fringe groups such as Aryan Nation and by racist skinheads. Regrettably, it is also kept alive by institutions such as the Anti-Defamation League. The purpose of ADL is to counter defamation of Jews. If there is no defamation of Jews, ADL has no reason to exist. It is an organization that operates by demand-side economics. It has an institutional need for a steady supply of anti-Semitism. Its fund-raising depends upon it. One is reminded of a recent report from the Midwest about a volunteer fireman convicted of arson. The village was going to close down the volunteer fire department, and he wanted to provide a convincing reason for not doing so. Groups such as ADL and B'nai B'rith of Canada are not deliberately creating anti-Semitism, but by setting off false alarms they seriously reduce the believability of the anxiety upon which their existence depends.

The *Journal* story reports the views of Daniel Levitas of Atlanta, described as a liberal Jewish activist, who invokes memories of Czarist Russia. "The Jews used to have a response when the Cossacks came to town," he says. "You close the doors, you batten down the hatches, and you shutter the windows. Eventually the dust will settle and you can come out again. The Jews used to say 'This too shall pass.' This time it's not going to pass." Such sentiments reflect the paranoia to which William Kristol refers and, not so incidentally, are an outrageous insult against non-Jewish Americans. The United States is not Czarist Russia and the American people are not Cossacks bent upon killing Jews. Statements such as those of Mr. Levitas cannot help inflaming anti-Christian feelings among Jews and anti-Jewish feelings among non-Jews.

But he got one thing half right: "This time it's not going to pass." If the "it" in question is the freer expression of religion and religiously grounded moral convictions in public, a major and lasting change does seem to be under way. Given that this is America, such expression will be predominantly Christian in character. This circumstance is understandably worrying to many Jews, but the challenges that it entails can be explored by Jews and Christians in a manner that strengthens our common participation in the American experiment. This was recently demonstrated by a symposium at Harvard, marking the fiftieth anniversary of *Commentary*, at which Midge Decter and this writer spoke.

In the last quarter-century, it was pointed out, there has been a dramatic change among Christians—ranging from Catholics to evangelical Protestants—in the understanding of Christianity's dependence upon Judaism. Not simply the Judaism of what Christians call the Old Testament, but the living Judaism that continues in mysterious relation to God's election and unbreakable promise. References to a "Judaeo-Christian" moral tradition, for instance, are not merely a euphemistic trope employed to avoid offending Jews. There is a much deeper level at which Christians are coming to understand their providential entanglement with Jews and Judaism, an understanding that has slight precedent in the last two millennia. This growing understanding should be carefully nurtured by Jews and Christians alike.

Many Jews have assumed that the more secularized America is, the safer it is for Jews. In this view, Jewish security and success have been achieved although America is a predominantly Christian society. This view, probably shared, at least intuitively, by most Jews, is of relatively recent vintage. An alternative view is that Jews are secure and successful *because* this is a predominantly Christian society. All too obviously, there have been predominantly Christian societies in which Jews have been anything but secure. But the argument is that Christianity in America really is different, that it has internalized tolerance as a matter of religious duty, and that, more recently, it has come to see Judaism as an integral part of God's purposes in history.

Taking Back the Country

IT WOULD be a tragedy of historic proportions were the opportunities of this new circumstance to be wasted in politicized rantings against the public assertiveness of conservative Christians. In a time when we are called to be "sensitive" to every grievance and discontent, a measure of sensitivity is due those Christians who say that they want to take back their country. With the exception of a few kooks on the margins (who bear close watching), people who talk that way do not mean that the country must be taken back from Jews. They do have opponents in mind—"secular humanists," "the cultural elite," "the mainstream media." In sum, the people and institutions that have in the past portrayed, and still do portray, millions of Christian Americans as dangerous aliens, as strangers in their own land. These newly activated Americans are fed up with being put on the defensive because of their adherence to Christian belief and morality. This populist resurgence is undoubtedly driven by a degree of resentment, and it, too, may sometimes "verge into paranoia." For the most part, however, it is a perfectly understandable reaction to being treated with contempt by the champions of secularism.

This reaction is not anti-Semitic. Unless, of course, Jews and Judaism are equated with, inter alia, promoting abortion, eliminating religion from public schools, advocating homosex-

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uality, denigrating marital fidelity, shocking traditional sensibilities, and depicting Christians as potential perpetrators of genocide. Those who slander Jews and Judaism by making such an equation are indeed guilty of anti-Semitism, and it makes little difference whether the slander is peddled by Jews or by Christians.

The political culture is changing dramatically. The deepest and probably most long-lasting change is the rediscovery of the free exercise of religion, and the assertion of religiously grounded moral conviction in the public square. This is a change that can be welcomed by both Jews and Christians—as citizens devoted to a free society, and as children of the God of Abraham, Isaac, Jacob, and Jesus. This change is understandably feared by determined secularists, Jewish and other, who are surprised that American history is not turning out the way they had confidently expected. The resurgence of public religion requires of them a painful reappraisal of their basic assumptions about America and the course of modernity.

There is reason to believe that the next generation of Jews in America will more readily cope with, and even welcome, the free exercise of religion in public. A new study by Seymour Martin Lipset and Earl Raab, *Jews and the New American Scene* (Harvard), examines the ways in which Jewish ethnic identity is fast eroding. Given intermarriage and other factors, it is quite possible that a few decades from now only half as many Americans will identify themselves as Jewish. A Jewish identity that is based upon ethnicity, anxiety about anti-Semitism, and concern for Israel is, say Lipset and Raab, a fragile thing. The Jewish future in America will be secured not by "Jewishness" but by Judaism, and Judaism is, most importantly, religion.

Those who have constructed Jewish identity on the foundation of political liberalism have, according to Lipset and Raab, built upon sand. "Some want to believe that an intrinsic quality of Jewish life consists of such universally benevolent 'Jewish social values' as equality, social justice, and world peace . . . But however strongly held, most of those social values are no longer particular to the Jews, and have clearly not provided the glue which can keep the Jewish community together." As the Jews of tomorrow are more religiously observant, they will also be more socially and politically conservative. And that is because, as these scholars and many others point out, there is a strong connection between religious commitment and conservatism on a very broad range of questions.

A New Jewishness

ANTI-SEMITISM is a very serious business. Christians, too, are responsible for seeing to it that it is watched assiduously and countered forcefully. That will not happen, however, if fair criticism of the behavior of some Jews is recklessly condemned as anti-Semitism. It will not happen if anti-Semitism is equated with opposition to the liberalism that many Jews believe to be the core of their "Jewishness." And it will not happen if the dominant voice of Judaism in America is that of secular agencies whose stock in trade is to accuse non-Jews of anti-Semitism. Within American Jewry, there is a growing number of thinkers—including but hardly limited to those mentioned above—who point to a more promising way for the flourishing of Jews and Judaism in America. Jews will decide how their message is received, but the rest of us, as Christians and as citizens, have a deep interest in the revival of a Jewish identity that transcends the partisanships of this historical moment.

Jews who are indifferent to the religious core of Judaism may, as Lipset and Raab suggest, be assimilated into the sector of secular Americans who are equally indifferent to Christianity. There they may maintain for a time an attenuated sense of ethnic identity, much in the way that others are vaguely Italian, Irish, or German "by extraction." But extraction means separation, and identities by extraction are by definition tenuous and short-lived. The interesting and promising future of Jewish–Christian relations rests with Jews and Christians who, in mutual respect and reverence, seek to discern and obey the will of the One Who is, through Israel, the light to the nations, and not least to these United States of America. □

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WASHINGTON

DOCUMENT EXTRACT: TRANSCRIPT 6/12–6/13: OFFICE OF THE VICE PRESIDENT

Telephone conversation 09:12 hrs:

VPOTUS: Rusty? Are you there?

(INAUDIBLE)

VPOTUS: Can you hear me? I had the Navy set up this AirLink. Rusty?

(INAUDIBLE)

Transmission ceased 09:13 hrs.

Telephone conversation 09:17 hrs:

UNIDENTIFIED FEMALE VOICE: Good morning, American Broadcasting Company.

VPOTUS: Robert Iger, please.

UFV: Whom shall I say is calling?

VPOTUS: Al Gore.

UFV: And you're with . . . ?

VPOTUS: The Federal Government.

UFV: Please hold the line.

(CLICKS. UNIDENTIFIED MUSICAL SELECTION.)

(ELAPSED TIME: 11 MINUTES, 23 SECONDS)

UFV: Go ahead, Mr. Iger.

ROBERT IGER: Newt?

VPOTUS: No, it's Al Gore.

RI: Al Gore? Al Gore? Oh! THAT Al Gore! Well, Mr. Vice President, this is indeed an honor. Hey, if you're calling about the nudity and violence on "NYPD Blue" you're too late—Bob Dole already called! Ha ha! I'm kidding, of course. We here at the American Broadcasting Company hold the nation's airwaves as a sacred trust.

And how may I help you, sir?

VPOTUS: Well, I'm calling at the behest of the President. We're requesting thirty minutes of network airtime to present our budget plan.

RI: How many minutes?

VPOTUS: Thirty.

RI: Ouch. Mr. Veep, you're killing me! Thirty minutes which day?

VPOTUS: Tuesday.

RI: Tuesday? As in "Roseanne"? As in 33 share?

VPOTUS: Wednesday, then?

RI: Oooh. Double ouch. "Ellen." "Grace Under Fire." 37 share. C'mon. Work with me here. You know what I'm thinking? I'm thinking Thursday.

VPOTUS: Well, we tried that. NBC refused.

RI: They did? Where's their sense of civic duty?

VPOTUS: Apparently "Seinfeld" and "Friends" are pretty popular.

RI: I know, but by God! We're all Americans, after all. Hmmmm. I'm thinking here. I'm thinking here.

VPOTUS: You know, in the past, it's been traditional for the networks to grant time to the President as a matter of course, without hesitation.

RI: Yeah, and with all due respect: a) in the past, the networks haven't had any competition; and b) let's be totally honest, you folks down there told me to my face that the State of the Union wouldn't go past 45 minutes, and I'm watching the thing go to an hour, then an hour and a half, eating up all of prime time on the East Coast, taking a big chunk out of the West, and you guys are saying to me, "He's wrapping up, he's wrapping up," but hell, I KNOW when a guy's wrapping up and he wasn't even close—and don't quote me on this, but you didn't get the health care thing anyway, did you?

VPOTUS: You know, CBS gave us the time with no argument.

RI: Of course they did! They're in fourth place! You offered them thirty minutes of free programming. What are they going to say? No? C'mon! They've got "Murder, She Wrote," which skews way, way old, one of those really bad Linda Bloodworth-Thomason shows—hey, no offense—and you! If I were them I'd offer you guys a whole series!

VPOTUS: This is unbelievable.

RI: Hey, if your guy just skewed a little younger. Somewhere between boomer and Gen-X. I can sell time for thirty minutes of that.

VPOTUS: Sell time?

RI: Yeah, you know. Commercials? Pay the rent?

VPOTUS: The President of the United States doesn't "break for a commercial."

RI: Yeah yeah yeah. When he needs votes, he'll play the sax and talk about his underwear on MTV, but then suddenly it's all "Mr. President" this and "Dignity of the Office" that. I got news for you: you can't unscramble an egg, you know?

VPOTUS: Look, CBS and CNN and NBC said that they would give us the time.

RI: Okay, okay. You twisted my arm. You win, okay! You win! We'll give you the time.

VPOTUS: Commercial free?

RI: You're killing me! But, okay, commercial free. Now, there's something you can do for me.

VPOTUS: What's that?

RI: Can you get your thirty minutes down to five? I've got a "Circus of the Daytime Drama Stars" special I just can't move.

VPOTUS: I'll see what I can do.

Transmission ceased 09:23 hrs.

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Loitering at the Gate

J. BUDZISZEWSKI

IN 1892, the U.S. Supreme Court, acting as *censor morum*, declared that America is a Christian people. Sixty years later it modified the claim, calling us a religious people whose institutions presuppose a Supreme Being. The difference between the two statements is profound, for almost anything can count as religious. Proof, were it needed, came in 1978, when the Court posited a right to use pornography on grounds of the "spiritual" purposes that it served.

Where are we now? Some have gone so far as to characterize contemporary American pop spirituality by the motto ABC: "Anything But Christianity." There is some truth in this. Large numbers of us are willing to try Zen, yoga, channeling, seances, astrology, past-life regressions, transcendental meditation, the reading of omens, the chanting of mantras, the casting of spells, the induction of abnormal mental states by drugs, the cultivation of out-of-body experiences, the ritual offering of milk and honey to Sophia or of aborted babies to Artemis

From Beginning to End: The Rituals of Our Lives, by Robert Fulghum (Villard, 273 pp., $20)

In Search of Stones: A Pilgrimage of Faith, Reason, and Discovery, by M. Scott Peck, MD (Hyperion, 422 pp., $22.95)

—anything but faith in the one whom Christians call the resurrected Lord.

Because of the strangeness of these practices, the ABC segment of our folk religion receives a great deal of attention. I suggest, however, that the attention given this segment is far out of proportion to its numbers. The greatest part of American pop spirituality seems to be formed by the confluence of two streams, neither of which can be characterized as simply ABC: a stream of people fleeing Christian orthodoxy who have paused, for some reason, on the way out, and a stream of people seeking Christian orthodoxy who have paused, for some reason, on the way in.

Mr. Budziszewski, an associate professor of government at the University of Texas at Austin, is the author most recently of True Tolerance: Liberalism and the Necessity of Judgment *(Transaction). He is completing a book on politics and original sin.*

If these two groups have much in common and are attracted to many of the same authors, it is because they are loitering at the same gate, comparing and exchanging articles of luggage. They dabble with the beliefs and

Bonnie Gardner

practices listed above, but they dabble in orthodox beliefs and practices as well.

Our two authors seem to fit this model rather neatly. Robert Fulghum represents the outflow from orthodoxy, M. Scott Peck represents the inflow. Their appeal to the lingerers around the gate is natural and understandable, and their books are consistent best-sellers. Because neither offers a *theological* reason for lingering, one cannot help wondering what arrested their respective movements. In the former case one suspects a sentimental attachment to congregational fellowship; in the latter, the awful weight of sudden and unexpected guruhood. Having passed in both directions through the portal myself, I am interested by such things. But because they are not such things as can be learned from books, let us consider the things that can.

In style and subject matter the works present a sharp contrast. *From Beginning to End* is a nostalgic collage of anecdotes and informal reflections on ritual. Reverend Fulghum, a Unitarian minister and a charming and gifted storyteller, holds that repeated, patterned behaviors—from reading the morning comics to celebrating the birth of a child—provide a "sense of security" which is the "ground of meaning" and so "transforms the ordinary into the holy." Public and private, open and secret, spontaneous and arranged, all such habits are grist for his mill. *In Search of Stones* is a heavy, rambling journal of a three-week trip through Wales, Scotland, and the Lake District of England, undertaken by Dr. Peck and his wife to indulge their fascination with the stone monuments of prehistoric peoples. These megaliths are the motif for ponderous meditations on topics including reason, romance, addiction, holiness, changing, religion, aging, parenthood, money, death, pilgrimage, gratitude, peace, adventure, space, time, art, integration, and despair. Though frequently confessional, the writing cannot be called an autobiography, for the author, a psychiatrist, informs us that he is too clever and humble for that particular folly.

On the other hand the books are heterodox in similar ways. Biblical ethics? Fulghum asks a struggling couple in premarital counseling why they don't just live together. He sees sin in being non-inclusive to sodomites, but not in practicing sodomy. Peck praises his wife for telling a deliberate lie in the name of the Holy Spirit. While admitting that his numerous marital infidelities are technically sin, he says he cannot "condemn,"—i.e., repent—them ("I hope I gave as much as I got"). The person of Jesus? Fulghum doesn't think the man is God at all. Peck thinks he is, but holds that his "spirit" is "in" everyone already—presumably even those who would be distressed to hear of it. Salvation? Fulghum thinks self-help, successful psychotherapy,

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and being "born again" are all pretty much the same. Peck agrees, but adds that the salvation of the world also depends on a "technology" of social reform through improved communication—of which he himself is an adept and teacher.

The books are also similar in their inability to make distinctions. Fulghum is what Chesterton called a "believer in all religions." So, after reasonably stating that "Prayer is talking to God," he adds: "However you may define each of those five words, I'm comfortable. I'll make my circle of understanding as large as need be in order to keep the conversation going. We can get into semantics another time." *However* we may define *each* of the five words? We may give any meaning to "is," any to "talking," any to "to," any to "God"—and, completing the circle, any meaning to "prayer"? Yes, for this is how all Fulghum's definitions work. Prayer, he says, might be drinking coffee or looking out the window. God, he says, might be a person, a concept, or a process; a verb, a noun, or a plural noun. Presumably he might be electricity. Or good digestion. Or whatever you are "comfortable" with, comfort being Fulghum's functional substitute for truth.

Peck has less excuse for being muddled because he insists himself on the need for distinctions: "we ultimately belong either to God or to the devil." Ultimately, however, he has the same problem as Fulghum in making them. He has nothing but praise for Carl Jung, who believed that God *includes* the devil; and although Peck does not espouse that particular idea, he does (in other books) espouse the pantheist idea from which Jung derived it: that *all* things are part of a single divine unity. Another difficulty is that if Peck is really a pantheist he ought to be pumping nirvana, not salvation, but he cannot seem to tell them apart. In the same way, he cannot tell the difference between Christian and Hindu contemplation; he groups all "the mystics" together. Both kinds begin by clearing the mind, so far as possible, of the devices and desires of the heart. But whereas in the former the mirror is cleansed so that it may more perfectly reflect the image of Christ, in the latter the mirror is cleansed so that there may be no more images; all is illusion.

One reason for the authors' inability to make distinctions is that distinctions seem like "discrimination" to them, and they are both convinced that the greatest virtue is not love, but "inclusiveness." Another source of confusion is their shared penchant for ponderous vacuities. For instance, Peck's favorite definition of prayer, borrowed from Matthew Fox, is "radical response to the mysteries of life." Of course this definition excludes nothing, for what does it mean to radically respond to these mysteries? After all, Fulghum thinks that even his coffee drinker is in "deep connection through action with the unnameable wonder and mystery of life." Similarly, when Fulghum's neighbor walks the dog "he performs a ritual act of *sacer simplicitas* . . . 'sacred simplicity.' Walking the dog is in truth a ritual of renewal and revival on an intimate scale." I don't know what Peck has in mind. Somewhere in the back of Fulghum's mind may be the idea that God can sanctify even the small things of life. But what Fulghum says is quite different: that small things sanctify life in and of themselves. By this reversal the skin of a truth is stuffed with an error, a frequent failing of both books.

Particularly interesting is the selectivity of the authors' borrowings from orthodoxy. For instance Peck borrows a belief in the existence of various created spirits—some of them angels, others deceivers. But he has no use for Scriptural guidelines for telling them apart, much less for the Scriptural prohibition against sorcery; thus he practices unsupervised exorcisms of the ones he considers bad and channels the ones he considers good. At present he says he is inhabited by a "Spirit of Mirth"—a claim which would be more plausible if *In Search of Stones* were less morose. Fulghum is also selective, though in a characteristically sillier way. For instance the idea of Holy Communion attracts him, but Heaven forbid that it be undertaken with bread and wine, for the elements Jesus instructed his followers to use might suggest a "theological interpretation." So one fine Sunday, the good reverend springs tangerines on his congregation, reasoning that the problem of dealing with seeds and peels will encourage cooperation. Another week he tries animal crackers. Over time he experiments with Gummi Bears, jelly beans, M&Ms, and Pop Rocks. Unfortunately the animal crackers provoke a free-for-all among the children, the M&Ms melt in the hands, and the Pop Rocks produce a lavender froth around the lips. Fulghum's conclusion? "Reformation is never simple, never easy, never quick."

So it is that two such different authors, one a refugee from fundamentalism and the other just arrived from Zen, converge at the gate and pause. Contemporary American pop spirituality is a theology of lingering, of loitering, of hesitation, a religion of the vestibule. It wants connectedness without commitment, re-conciliation without repentance, and sacredness without sanctity. It wants to sing the songs of Zion in the temples of Ishtar and Brahman. God help us to know what we want and to want what we ought. God make haste to help us; God make speed to save us. □

Jung at Heart

JAMES GARDNER

INTELLECTUAL doctrines, no less than popular songs and women's hemlines, are subject to the whims of fashion. During the touchy-feely Seventies, few readers felt that Freud had anything to offer them. He was the god of their parents' generation, the psychiatric equivalent of Frank Sinatra or Tony Bennett—terminally unhip and passé. Those were the days when Jung's message of the universal togetherness of all peoples at all times, as enunciated by such apostles as Joseph Campbell, seemed to offer endlessly luminous possibilities. By the 1980s, however, things had changed drastically. Rejecting such expansive, "Californian" humanism, intellectuals returned to Freud in droves. Not only did Freud's sexual pessimism

***The Jung Cult: Origins of a Charismatic Movement*, by Richard Noll (Princeton, 387 pp., $27.95)**

Mr. Gardner is NR*'s art critic and the author of* Culture or Trash?

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About the Author

Basil Venitis is the hottest trader of our times, a Wall Street high roller, a futures high hitter, and the keenest economist in New York. He was the first trader to apply Chaos Theory to financial markets. That's why he is considered by many traders as the first market chaologist and the father of Chaos Trading.

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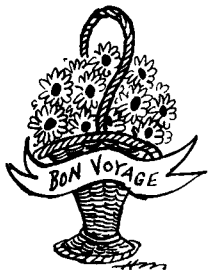
chime with the spirit of the age of AIDS, but the endorsement of him by the most fashionable French thinkers, especially Lacan and Derrida, made him intellectually acceptable once again.

Meanwhile Jung's reputation declined. Those who are intellectually *à la page* will have nothing to do with him now, for much the same reason that rock bands no longer sound like The Captain and Tennille. But yesterday's high-brow doctrines become today's midcult, and such New Age, Nineties phenomena as Thomas Moore's best-selling *Care of the Soul* are steeped in Seventies Jungianism. This of course is the kiss of death. For the more the midcult admires Jung, the less high-brows will have anything to do with him.



Symptomatic of the assault on the Swiss analyst is this new book by Richard Noll, who goes so far as to assert that Jung saw himself literally as a god and created a religion around himself. "For literally tens of thousands, if not hundreds of thousands, of individuals in our culture," Noll writes, "Jung and his ideas are the basis of a personal religion that either supplants their participation in traditional organized Judaeo-Christian religion or accompanies it." Though Noll never says so explicitly, he pretty much places Jung in the company of the crystal-gazing, pyramid-power people in the Ashrams of the Northwest.

In a sense Jung brought this upon himself. The son of a parson, he was decidedly more religious than Freud, who liked to refer to himself as a "godless Jew." Jung's deep-rooted spiritualism manifested itself in a greater interest in astrology, alchemy, and the I Ching than men of science are supposed to express. Whereas for Freud religion was merely a projection of certain personal neuroses, for Jung it represented a universal striving for spiritual wholeness. Psychic life was not, as Freud believed, a ceaseless war of competing drives, but the self's quest for internal balance, which Jung called the Individuation Process. Nor did he see the individual as being at war with society, as Freud did, but as part of a human community that crossed national and religious boundaries as well as centuries. The common language of this community, what Jung called the archetypes of the collective unconscious, was a universal storehouse of shared motifs proceeding from the very structure of the mind itself.

All of this, of course, is Seventies talk. This is the way "we" sounded two decades ago and may sound again, but to sound that way today is to lay oneself open to charges of cultism and worse, such as characterize Mr. Noll's book.

And yet the substance of his extraordinary claim that Jungianism (or Jungism, as he likes to call it) is literally a religion amounts to nothing more than this: occasionally, in his self-analysis, Jung uses a technique he calls "active imagination" to explore the unconscious. He imagines a descent into a dreamworld of spirits and wisemen, a landscape filled with luminous archetypes. Rather than concealing this technique, Jung discussed it in his memoirs, and despite Noll's claims to the contrary, Jung understood full well that he engaged in an imaginative game. Noll's methodology, however, is a kind of entrenched literalism—a quality that, as Jung himself might remark, is typical of the minds of children and primitive peoples—whereby he supposes that everything Jung says, despite Jung's disclaimers, must be taken at face value. Once we remove this literalism, Noll's argument doesn't amount to much.

In fact, most of the time, Noll never really asserts anything at all. Instead, he fudges and fudges and fudges. Here, for instance, are the openings of the first four sentences of chapter nine: "During those long hours [with Gross], Jung must have learned . . . Included in this analysis was no doubt . . . Perhaps most important for our purposes, Jung probably heard . . . Jung also no doubt heard . . ." What Mr. Noll is really saying in this entirely typical passage is that he has no direct evidence for what he is saying, but is merely assuming it.

More often than not his exposition is not so much corrupt as simply confused. Commenting on the fact that in 1925 Jung delivered a series of lectures in English, Mr. Noll writes that "the symbolism of this decision cannot be underestimated [he means, of course, overestimated], for it signals Jung's willingness to spread the gospel of his mysteria around the world." Now first of all, even if we accepted this kind of baseless "symbolic" reading, it should be said that English was not in 1925 the universal language it became, under American influence, a generation later. Second, even if we believe that Jung saw himself as a mystagogue, it is surely in the interest of mysteries that they be kept secret except to initiates, rather than that they be published for the inspection of all comers. Third, Noll asserts elsewhere that training in Jungian analysis can cost up to $100,000, a fact that he apparently wishes sinisterly to recall the way certain televangelists get rich off their congregations. And yet it is precisely because Jungian analysis is not a religion but a medical practice that training in it costs as much as, but not more than, Freudian training or medical school—or law school for that matter. One could go on in this vein, but only at the risk of answering a fool with his folly.

Which is not to say that the present book is useless. It seeks to place the Swiss physician in the context of Germanic and European culture in the late nineteenth century, an undertaking that, in more responsible hands, would certainly be worth while. For Jung, just as surely as Freud, was a child of his time, one upon whom a great many of the doctrines and attitudes of *fin de siècle* Europe exerted their influence. Without question the mind of Jung was wrought upon by a thousand disparate strains—Nietzsche, German Protestant theology, Spengler, Wagner, Haeckel—as Noll points out.

But even here he goes too far, suggesting darksome links between Jung and fascism, mostly because certain elements of the thought of both derived from a common source (although it must be said that Jung's repudiation of Nazism before the end of the war was never as vigorous as it ought to have been). Such discerning of links and common origins is a favorite sport of contemporary intellectual life, which imagines that if any tie can be found, however adventitious, between a modern movement we despise and an older thinker whom an author somehow dislikes, then that thinker's reputation must have been dealt a lethal blow. Thus, the totalitarian regimes of Soviet Russia are laid at the feet of Kant and Rousseau, and Schopenhauer is responsible for the rise of Nazism.

In an Op-Ed piece in the *New York*

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Times, Noll went so far as to link Jung to a Swiss messianic cult, the mass suicide of whose members made the headlines last November. The controversy that resulted from that article induced Princeton University Press, which published both this book and the complete works of Jung, to withdraw its support for a collection, to be edited by Noll, of Jung's religious writings which, Noll feels, will corroborate his belief in Jung's messianism. Surely Princeton should reconsider, though it would do well to entrust the project to someone other than the author of this book. □

Can We Beat the Bell Curve?

DANIEL SELIGMAN

DAVID Perkins's deceptive title could leave you thinking that he has found the Holy Grail of politically correct psychology: evidence that IQ is bunk and that dumb folks can learn to be smart. Perkins himself yearns to put down scholars who take IQ test scores seriously, including the authors of *The Bell Curve* (whose publisher, the Free Press, is also his own), remarking that at times Richard Herrnstein and Charles Murray "seem to be either insensitive or deliberately incendiary." But his own book never delivers on its promise to shoot down the version of intelligence built into IQ tests, and ends up acknowledging that test scores a) are highly heritable and b) do indeed correlate positively with desirable life outcomes.

Arguably a more serious problem, the book never delivers much on its self-imposed main task: demonstrating that there is a new science of "learnable intelligence," based on exciting new ways of teaching people to think better.

Outsmarting IQ: The Emerging Science of Learnable Intelligence, by David Perkins (Free Press, 390 pp., $23)

A senior research associate of Harvard's Graduate School of Education, Perkins is not easy reading. Readers are recurrently assaulted by klutzy, cloudy passages like: "The psychometric approach . . . makes no natural place for the contemporary work on novice–expert differences that motivated the central place of experiential intelligence in realm theory." And despite repeated pauses to summarize just where we are in the argument, his mode of elaboration—which moves back and forth between hard-sell assertions and major qualifications—makes it hard to stay on track.

In sidling up to the challenge of persuading readers that intelligence can be taught and learned, Perkins distinguishes among three kinds of intelligence: "neural intelligence," based on the brain's raw processing power; "experiential intelligence," based on acquired knowledge; and "reflective intelligence," in which individuals systematically learn new memory and problem-solving strategies and monitor themselves to see how the strategies are working. It becomes clear that this third version is what Perkins mainly has in mind when he talks about learning to be smart. To be sure, reflective intelligence looks a lot like what smart people tend to do naturally. The critical question is whether not-so-smart people can be taught to think in this way, thereby boosting their own intelligence.

When Perkins gets to the evidence that they can, it turns out he is thinking mainly of four studies, all involving schoolchildren: 1) Project Intelligence, an experiment in Venezuela wherein a number of American psychologists (including Perkins himself) introduced a curriculum for seventh-grade students that heavily emphasized thinking skills; 2) the so-called Instrumental Enrichment program, associated with Israeli psychologist-educator Reuven Feuerstein; 3) a system of teaching thinking developed by Edward de Bono's Cognitive Research Trust and also tried out in Venezuela; and 4) a program called Philosophy for Children, in which even quite young American children are forced to reason about ethical and other issues.

But after depicting these and other programs in glowing terms, Perkins gamely acknowledges that the associated intelligence gains seem negligible to modest—at best a couple of IQ points, scores a bit higher on reading and math tests. "The most powerful demonstrations of developing reflective intelligence remain to be done," he states wistfully. Although he does not say so, even the limited gains he describes have to be considered suspect. Perkins presents no data enabling one to judge whether they will be washed away by the familiar "fade-out" effect that keeps dashing hopes for enrichment programs—when it is discovered that several years after the program's completion, the experimental and "control" groups are not noticeably different in ability.

By the end of his book, Perkins has pretty much ceased writing about learnable intelligence as a thrilling new empirical fact and adopted a tone in which it is mainly something slated to come along in the future. If you find all this a bit tenuous and overdriven by wishful thinking, the Free Press has another entry you might consider. □

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Mr. Seligman is a columnist at Fortune *magazine and the author of* A Question of Intelligence: The IQ Debate in America *(Citadel).*

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Visions of Capitalism

STANLEY ROTHMAN

ROBERT Heilbroner is one of my favorite radicals. He writes lucidly, and whatever his hopes or prescriptions for the future, he never fails to face the problems that any vision of a radically different society entails. In short he is honest and skeptical even about his own views. He is not, nor has he ever been, a simple utopian, for he has a strong sense of the power of the irrational in human behavior and the difficulty of controlling it.

Heilbroner's favorite topic is the future of capitalism, on which he has produced at least four or five short books which cover much the same ground. His current book, *Visions of the Future*, is not very different from *The Limits of American Capitalism* (1966), *Inquiry into the Human Prospect* (1974), *Business Civilization in Decline* (1976), or *Twenty-first-Century Capitalism* (1993).

Heilbroner's central argument has remained the same: capitalism will be with us for a while, but in the end, it must give way to new forms of economic organization because it cannot deal with emerging social and economic problems.

Of course Heilbroner's prediction as to how long capitalism will last varies with the time at which a given book was written. In *Visions of the Future* he says that capitalism of various kinds will probably last through the twenty-first century. In the earlier volumes (if memory serves), capitalism was doomed to expire much sooner, and Heilbroner was very concerned about the prospects for democracy under such circumstances, despite his radical sympathies. In this concern he stood apart from the fashionable neo-Marxists of the 1960s and 1970s.

Visions of the Future, by Robert Heilbroner (Oxford, 144 pp., $19.95)

The issues were also somewhat different then. For example, global warming and pollution had not achieved the status they have in this book. Now, Heilbroner argues, because capitalism must continuously expand, it cannot deal effectively with environmental issues, which, he suggests, call for a slowing down of economic growth or even a steady-state economy. However badly the Communist nations have dealt with the environment, Heilbroner implies that a socialist state can more readily adopt a steady-state economic policy than a capitalist society can.

I see no reason to agree. I am not persuaded that capitalism (reliance on markets and private ownership) cannot, on purely economic grounds, adopt policies designed to reduce the rate of growth or even bring economic growth to a halt. The problem, I suspect, lies elsewhere and is endemic to all modern societies. Most people need to work to give their lives meaning, and, in modern secular (and not so secular) societies, the constant expansion of living standards has become an expectation and therefore an emotional necessity. Since the religious promise of a better life in the next world has lost its power for many people, only the present and the immediate future in this world count.

Of course, one does not and cannot know what the future holds. In worrying about the condition of the earth and the limits of growth, Heilbroner takes the estimates of radical environmentalists as definitive. He is persuaded that the so-called greenhouse effect has been clearly demonstrated, and that it is technically impossible to find safe depositories for spent nuclear fuel. But these and other issues are not by any means settled. All sorts of possibilities may yet be open to us.

Heilbroner is concerned about unemployment and growing inequality in some capitalist societies, especially America. This can be solved, he thinks, under a modified (social) capitalism like that of Sweden. The welfare state in Sweden is much more generous than the American variety, he avers, and, despite some retrenchment, Sweden is still far more committed to progressive social policies than we are. True enough, but certainly part of the reason is that social-welfare measures in Sweden are more like collective social insurance than they are in America. In Sweden, one suspects, the middle and "respectable" working classes pay taxes that are largely returned to them in the form of income or services. Certainly social welfare measures in Sweden are less redistributive than they are in the United States, at least in part because of the homogeneity of the society and the maintenance, thus far, of a culture of relative self-discipline and work in most of its population.

In short, Sweden lacks an underclass. Thus social policies there have not aroused the ire and hostility that they have in America. In this country more and more people view money spent on the non-working poor as money poured into a bottomless hole. Swedes believe that they get a bang for their buck. Americans are not persuaded that they do.

Sweden's success, as compared to the United States in maintaining full employment, has almost as much to do with cultural factors as it does with economic policy. The condition of underclass America is clearly a function of cultural shifts often abetted by government policy. And members of that class, who are often unable to hold down even a simple job, are a drag on the economy. To put it more cautiously, it is unlikely that Swedish-inspired policies would work in the United States without a cultural renewal among significant segments of the population. Such policies may not work forever in Sweden, either, if they contribute to the creation of an underclass, as Charles Murray suggests they will.

Since the 1960s Heilbroner has been concerned about technological unemployment and its effects for the future. He still offers no solid evidence that technology per se is the villain. Such matters as the decay of the educational system, the aging of the population, and the breakdown of the family appear to me to be far more immediate dangers.

In *Visions of the Future* Heilbroner discusses the whole of human history in a vast sweep from the emergence of man until the twenty-first century. His earlier chapters outlining the agricultural revolution and the emergence of urban civilizations add little to anything. A number of the analyses on which he relies, e.g., Wittfogel's theory of the origins of civilization in river

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valley "hydraulic" societies, are debatable at best.

I have been mostly critical of Heilbroner, but this short book should be read by those unfamiliar with his work. Conservatives are committed to preserving the market, but not necessarily committed to the kind of free-market economics that has become associated with them in recent years. Conservatism in this country has largely been derived from nineteenth-century European liberalism, reinforced by the fact that intervention by the Federal Government and the courts, rather than fostering community, order, and economic development, has contributed to the decay of all three.

It behooves conservatives, however, not to throw the baby out with the bath water. The state may, in the future, play an important role in helping to maintain freedom and a market economy by appropriate regulation and control. It also may play a legitimate role in implementing realistic proposals for sustaining an adequate community. I have no idea how a re-orientation designed to make government a more effective contributor to our well-being can be brought about. Perhaps it is impossible. However, the alternative view must be seriously considered, and Heilbroner is the kind of civilized and wise adversary who encourages meaningful discourse about such matters. □

Flashy Hero

ANTHONY LEJEUNE

IT WAS a good idea in the beginning and has grown steadily richer. George MacDonald Fraser, a Scottish journalist, decided some thirty years ago to write his way out of the frustration caused by not being appointed editor of the *Glasgow Herald*; and the thought that struck him was to borrow Flashman, the handsome, bullying villain of that pious Victorian work *Tom Brown's Schooldays*, and follow his adult adventures, a colorful anti-hero much more interesting than the pallid Tom Brown. Flashman himself would be the narrator: sardonic, lecherous, cowardly, and selfish, but quick-witted, resourceful, and, in these reminiscences, amusingly candid. The joke was, and ten volumes later is, that the more deplorably Flashman behaves and the more appalling the scrapes he gets into, the more brightly his reputation shines and his career blossoms, turning him into Sir Harry Flashman, VC, a happily married great-grandfather, honored by all.

Flashman and the Angel of the Lord, by George MacDonald Fraser (Knopf, 394 pp., $24)

Ingloriously but covered in popular glory, he escapes from the Indian Mutiny, the Charge of the Light Brigade, Little Big Horn, and (in an episode not yet published) the Zulu massacre of British troops at Isandhlwana, as well as innumerable tight corners involving slavers, pirates, spies, rebel tribesmen, Chinese torturers, outraged husbands, and voracious ladies.

In this latest volume, having imprudently succumbed to the dropped handkerchief of a married lady in a Calcutta hotel, Flashman slips away to South Africa, whence, lured by the daughter of an old enemy, he is shanghaied aboard a ship to Baltimore. No sooner has he been pitched, penniless, onto American soil than entanglements from his previous deceptions and illegalities south of the Mason–Dixon line are pulled tight around him, like a gladiator's net. He finds himself coerced into working simultaneously for the anti-slavery underground, forerunners of the Ku Klux Klan, the U.S. Government (through the agency, after a gunfight, of Allan Pinkerton), and, most alarmingly and intimately, the enigmatic visionary John Brown. This doom-fraught situation culminates in the raid on, and bloody recapture of, Harper's Ferry, which, with his usual last-minute good luck, Flashman survives—to be commissioned, in still unwritten but adumbrated chapters, by both the Union and the Confederate armies.

There are, as always, vivid, wry, credible portraits of historical figures; memorably of William Henry Seward, without whose diplomatic skills ("A masterpiece of flannel," Fraser calls it) Britain might have been provoked into full military support of the Confederacy, and in consequence the Civil War, (from the Union's point of view) lost. Fraser puts into his mouth a most eloquent argument for Anglo-American unity: "We may have our rivalries and jealousies, all those tiresome jests and gibes about the top-lofty Briton and the brash Yankee, but let me tell you, sir, the smart travelers who publish their 'impressions' and disparage the 'differences' between us, see only the surfaces of our countries. Beneath, we are one people still. One language, one law, one *thing*, as our Norse ancestors would say . . ." The argument is impressive still, as Flashy is persuaded—not by the *flannel* but by consideration of how it might affect Queen Victoria and therefore damage his own prospects if he failed to help.

The central portrait, though, is of John Brown himself, and it is again wholly credible. He was the kind of single-issue fanatic whom we know only

Mr. Lejeune is NR*'s longtime London correspondent.*

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too well, switching in a moment from ruthlessness to sentimentality, full of "half-learned knowledge," equally capable of writing a sweet letter to his five-year-old granddaughter and of massacring opponents in cold blood. "He wasn't a good speaker, but he had a presence, and the mere sight of the Covenanter figurehead, with its flashing eyes and rasping voice, was enough to set them stomping and rummaging in their purses. Once or twice he waxed philosophical, and came adrift . . . but when he came out thundering that whoever took up arms to defend slavery had 'a perfect right to be shot,' they raised the roof." Yes, we know the type.

The Flashman series has won as much of a following—a cult following maybe, but large—in the United States as in Britain. Alfred Knopf said of the first book (and, being the shrewdest of publishers, meant it as a compliment) that he hadn't heard such a voice in fifty years.

The tone is quite hard to convey to those who've never sampled it. What the Flashman books are not is farce or slapstick or (despite a bad film made from one of them) parody. Nor are they, as a left-wing critic suggested, satire aimed at Victorian hypocrisy and imperialism. "The Victorians," Fraser sharply replied, "were mere amateurs in hypocrisy compared to our brainwashed, sanctimonious, self-censoring, and terrified generation."

These novels belong to an older tradition altogether: the picaresque adventure story. If we smile, it is only at Flashman's effrontery, his unashamed caddishness. Their literary origins have been set out by Mr. Fraser: "A life-long love affair with British imperial adventure, fed on tuppenny bloods, *Barrackroom Ballads*, films like *Lives of a Bengal Lancer* and *The Four Feathers*, and the stout-hearted stories for boys which my father won as school prizes in the 1890s." In other words, far from being parody, this is the real thing, with just enough cynical edge to render it acceptable in the modern climate (though certainly not acceptable to the politically correct).

As often happens in a long series, the central character has matured, even mellowed. Indeed some critics complain that Flashman has become less an anti-hero than a true hero. He still runs away from danger when he can, still seduces, or is seduced by, every beddable woman, still lies, flatters, and cajoles without scruple. But while the *Angst*-ridden protagonists of most modern fiction could scarcely fight their way out of a recycled paperbag, there is something to admire in a man so ruthlessly skilled at survival, so capable of getting all those women into bed, so wary and so shrewd.

Increasingly, too, Flashman has become his creator's voice in commenting on the historical events among which he moves. In this new book he discusses and muses at length on the politics and factions, the personalities and prejudices, the principles and posing, from which the American Civil War exploded. The assessment is lively, learned, and thought-provoking. Flashy cares nothing about the rights and wrong of slavery, but, as a worldly man, observes and relishes the spectacle of human behavior.

The background against which these adventures and conversations occur is most scrupulously drawn, packed with interesting detail. Notes at the back of each Flashman story provide sources, verification, and additional facts to satisfy any reader's query.

George MacDonald Fraser's other books shed some light on his own qualifications for this kind of exercise. *Quartered Safe Out Here*, an account of his experiences as a soldier in the Burma campaign, is as vivid, compassionate, and courageous a picture of small-scale fighting as any the Second World War produced. His *Hollywood History of the World* was a hilarious but appreciative survey of history as re-told in the movies. Sensibly and characteristically he concludes that, despite Hollywood's glorious follies, we all know a great deal more about world history than we would if Cecil B. de Mille and his imitators had never lived.

Underpinning every other virtue stands the crucial one that Mr. Fraser writes extremely well, both in his action sequences and in his painting of the backcloth. Try this passage:

> Some cynic once observed that it was impossible to see the sights of New York City because there were no cabs to take you about, but it didn't matter because there were no sights to see anyway. I can't agree; whether there were cabs or not in '59 I didn't have time to find out, but for sights, well, there may have been no St. Paul's or Rialto or Arc de Triomphe, or mouldering piles of stone or dreary galleries stuffed with the rubbish of centuries, but there was something far more moving, inspiring, and aesthetically pleasing to the eye, and you didn't need a cab to see 'em, as they sashayed along Broadway past the old Astor House by the Park. I refer to the women of New York, who for beauty of face and form, elegance of dress, and general style and deportment are quite the finest I've struck —until they open their mouths, that is, which they do most of the time. I don't mean just the trollops either, of whom there were said to be two thousand in a population of three-quarters of a million in '59 (and who counted 'em, I can't imagine, some clergyman, no doubt) but the respectable women of every class.
>
> They absolutely ruled the place; New York was a woman's town. . . . For example, you could be on an omnibus, going through the inconvenience of paying the driver through his little window, and three or four dolly-mops would come on chattering and laughing behind you, drop their money in your hand, and expect you to pay it over and bring 'em their change—perfect strangers, too. Mind you, the reward of a free and easy smile and "Thanks, chief!" from a pert New Yorker is a delight; given time, I'd have been haunting that omnibus yet.

The blend of the still recognizable and the unfamiliar (New York certainly does not lack cabs today), Flashy's voice and the author's research (delving in travelers' tales and memoirs of the time), is distinctive, typical, and a continual extra joy. □

FILM

From Waller to Wallace

JOHN SIMON

I HAVE glanced at Robert James Waller's booklet ***The Bridges of Madison County*** just long enough to be able to put it down without bringing up my dinner. But I can see what, besides its sheer sticky sappiness, made it sell millions of copies. Herewith its messages. 1) Four rap-

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turous days of love and sex are worth a lifetime; so, because everyone has had that much, no one has lived in vain. 2) Four days of adultery do not endanger a marriage; which justifies a lot of things. 3) Great parted lovers need not see each other again; their hearts will remain full of each other—consolation for all partings. 4) An Iowa farm can turn into Paradise; encouraging for all who live in stodgy surroundings. 5) Clichés and banalities are the true language of love; what greater comfort to illiterates?

Francesca Johnson is living in 1965 with Richard, her farmer husband, a son (17), and a daughter (16) on an Iowa farm, even though she was born in Bari, Italy, where she became a war bride. Richard and the kids have gone to a cattle show with their prize steer, and Francesca expects four days of uneventful relaxation from household chores. Instead, Robert Kincaid, a photographer on assignment from *National Geographic* to shoot the covered bridges of the county, having lost his way, drives onto the Johnson farm for directions. Francesca rides with him as guide, then invites him to dinner. Over the four days, the pair become lovers—that Robert spent some time in Bari helps, that both of them can quote Yeats clinches it—as each recognizes the perfect mate in the other.

Francesca yields to Robert's entreaty that she come away with him, but changes her mind at the last minute. She lives many more years as Mrs. Johnson, but when dull Richard finally dies, she cannot find Kincaid, who, in the meantime, has published a picture book about her. Then Robert, too, dies, leaving all sorts of memorabilia to her. Finally she dies, leaving a journal of her great love to her children. Her son is shocked and furious, but her daughter understands; eventually he too comes around. Their mother's story encourages both of them to put their own troubled marriages in some kind of order.

What I have just told you is not the story of the booklet, but a précis of the scenario, which is, astoundingly, less odious than was to be expected. Clint Eastwood has directed decently, and the screenplay by Richard LaGravenese manages to gloss over some of the sorest points. And Meryl Streep and Eastwood act the leads with sincere determination and genuine charm. The locations are authentic, and Jack N. Green's cinematography brings out the best in them. Only the last twenty or thirty minutes turn unendurably soggy, but because you care about the people thanks to the actors, you find it in your heart to be forgiving. More or less.

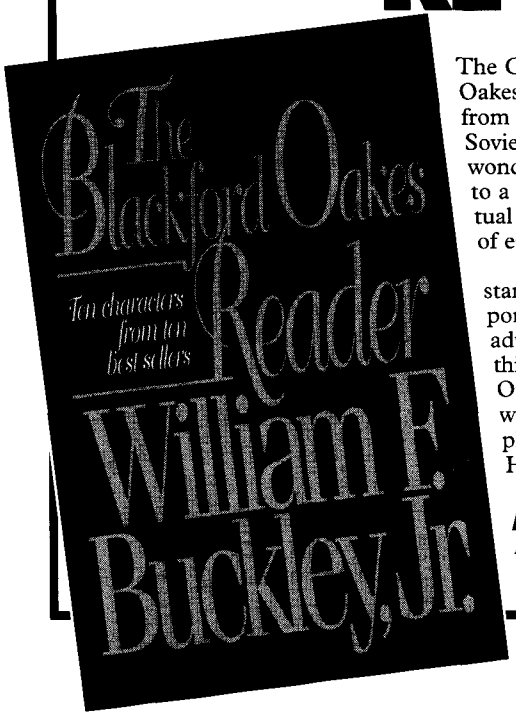
It is a simple story, verging on the simple-minded. Lines from Waller's booklet that survive include, "Francesca, do you think that what happened to us just happens to anyone?" Also the pivotal: "This kind of certainty comes but once, no matter how many lifetimes you live." (I love that *but*.) We also hear an encomium of the soil's "loamy" smell. But at least the movie doesn't have them go at it like bunny rabbits right off the bat, and makes the evolution of the relationship as gradual and believable as the four-day time span permits. Not especially believable, and distracting besides, is the periodic cross-cutting to Francesca's grown children and their reactions, the son's especially broad as played by Victor Slezak.

What makes the tear- and cliché-drenched finale smell particularly loamy is that it really doesn't make sense. Since Richard is portrayed as a clod, and the children are old enough to cope, why wouldn't a woman like Francesca leave with her soulmate? Given, that is, how the situation is presented: she, with her tremulous, poetic, unfulfilled soul finally meeting a worldly man of equal sensitivity who picks flowers for her, modestly denies being an artist, and can talk about the restaurant across from the Bari train station. But no, they have to part, that being the rule of the genre.

A case, then, of having it both ways: your glorious fling, your subsequent lifelong fidelity; eating your cake, yet having its flavor forever in your memory. "We are the choices that we have made," the movie (and probably the booklet, too) observes; but we are also the choices that the author has carefully calculated. "I am no artist," says Kincaid, being "too well adjusted, too normal." On this evidence, Robert James Waller must be a paragon of mental health. I only wish that the score, by Lennie Niehaus, wouldn't repeatedly threaten to turn into the *Symphonie Pathétique*. But then, echoing one of the movie's finest lines

Mr. Simon is NR*'s film critic.*

A MASTER SPY REVEALED



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("Good stuff, Yeats"), could one not say also, "Good stuff, Tchaikovsky"?

■ ***Braveheart*** is another film directed by its star, Mel Gibson. Close on the heels of *Rob Roy*, this is the second tribute to a legendary Scottish hero, this time round William Wallace, the great medieval warrior leader. Though less clever than its predecessor, it is much grander in its nearly three-hour epic sweep. The obvious comparison is with *Henry V* (the Olivier, not the Branagh), and even though Randall Wallace may not be quite so good a screenwriter as Shakespeare, the movie can hold its own.

Randall Wallace calls himself the spiritual descendant of William Wallace, and he has deftly incorporated the not many known facts about his namesake, and addressed the legend with gusto and eloquence. The result is an epic that, a few excessively romantic touches notwithstanding, is more realistic than most. These medieval Scots live in ferocious-looking hovels, seem (at least the men) heroically unwashed, and have coiffures in which a kestrel could nest. The friendly punches with which they communicate could easily kill a lesser fellow—an Englishman, say.

Braveheart aims to be a thinking man's epic. "It's our wits that make us men," young William's da tells him, and, after da and big brother are killed by the English, Uncle Argyll continues the boy's education along similar lines. Pretty soon William has turned into Mel Gibson, a young man who wants to settle down and live in peace. But the English are making things hard, what with such things as *ius primae noctis* (in the film, more tersely but less correctly, the *prima nocte*) giving the English magistrate the right to deflower each lassie on her wedding night. Braveheartrending business, that.

Finally William secretly marries the bonniest of lasses, Murron—played by the breathtakingly beautiful and talented Catherine McCormack—but the English get wind of it, and when she won't put out for them, slit her throat in a shattering scene irradiated by Miss McCormack's performance. So William turns avenger and, by one small further step, leader of the Scottish populace (as opposed to the nobles, suborned by Edward Longshanks, the Machiavellian English king). There are plots and counterplots as the nobles sabotage William's efforts, and Robert the Bruce, who wants to help him, is prevented by his leprous father (well played by Ian Bannen), who expects the nobles to crown his son king. And much, much more.

The love scenes are so-so, the political scenes ho-hum, but the fighting—both individual contests and mass battle scenes—is first-rate, barbaric, and sublime. You might think that so much battle stuff would pall after a while: how much slashing, chopping, stabbing, and skewering—not to mention mangling and incinerating—can there be without diminishing returns? Quite a bit; Gibson, to give him his due, comes up with new forms of warfare, better ways to turn charging men and horses into shishkebabs, new modes of battering down castle gates in a rain of boiling pitch from the battlements, fresh tricks to outsmart the enemy. And whereas this much violence with modern weapons would be unbearable, with medieval arms it becomes heroic and exhilarating.

There is something appealing about Mel Gibson—the ruggedly masculine countenance, the quick half-smile, the knack of conveying blue-eyed hurt (as when he discovers the Bruce under an enemy helmet), and a squarer-jawed determination than Dick Tracy's—that sustains *Braveheart* even through the unlikely scenes with Isabelle, the Princess of Wales (indifferently played by Sophie Marceau), and through the Wallace's—or the Gibson's—unconvincing displays of polyglotism. Add to this the beauties of Scotland, searchingly chronicled by John Toll's inexhaustible camera, the solid supporting performances among which Patrick McGoohan's sardonic-sadistic Edward I is especially noteworthy (never before have terminal consonants been drawn out to such ironic length), and the intelligently deployed music by James Horner. A Scottish acquaintance, George Campbell, questions the use of the sweeter *uilleann* (Irish) bagpipes rather than the fiercer Highland ones during the battle scenes, but these scenes are so exciting Horner could have used marimbas and I wouldn't have noticed.

The film put me in mind of a four-line poem by Scotland's greatest modern poet, Hugh MacDiarmid:

> *The rose of all the world is not for me.*
> *I want for my part*
> *Only the little white rose of Scotland*
> *that smells sharp and sweet—*
> *And breaks the heart.*

And that is high praise. □

DELECTATIONS

The Secret of Success

TAKI

SIR Winston Churchill did it, even during the London blitz. Spanish and Portuguese gentlemen do it, not to mention Italians. Most upper-class Greeks used to do it—although the practice has stopped because there are no real Greek gentlemen left. Gianni Agnelli, of Fiat fame, does it every day, as did Aristotle Onassis, Charles de Gaulle, Benito Mussolini, the Duke of Alba, Juan Perón, the King of Spain, and Lucky Luciano, among others.

I am referring, of course, to taking a nap in the afternoon—the siesta, as our Spanish cousins call it, the civility that unites all southern Europeans and South Americans. I do not mean the two-minute cat-nap of the hurried executive in his limo between appointments. I mean the deep, dreamy, and refreshing postprandial sleep.

When I was growing up in Greece during the war, even the German officers who had occupied our house fell into the habit. The beauty of sleep in the afternoon is that it makes it possible for one to stay out very late at night, yet go to work early in the morning. This is what my father did all his life. He would nightclub until 4 A.M., be up by 8 and to the office by 9, then sleep from 3 to 6 in the afternoon. Then back to the office and the club. And always feeling fresh.

By the time I got to school in America, I was a true believer in the siesta,

Taki Theodoracopulos is a columnist for the New York Post *and the London* Spectator. *He is author of* Nothing to Declare *(Atlantic Monthly Press).*

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but life here knocked the habit out of me. As soon as I moved to Paris, however, I rediscovered it. My friend Porfirio Rubirosa, the greatest playboy of all time, husband of both Doris Duke and Barbara Hutton, once told me the secret of a man's success lay in sleeping in the afternoon. Rubi would get up early and work his ponies, have a lengthy lunch with friends, followed more often than not with an assignation, then drive to his house in St. Cloud, just outside Paris, sleep until 7 in the evening, then bathe, dress, and go back into Paris until dawn.

The morning he died, July 6, 1965, he was on his way home from New Jimmy's at 6 A.M. when he hit a tree with his Ferrari. As it happened, he had not slept the previous afternoon because he and I were playing polo throughout the day.

Body-rhythm experts insist that a short night's sleep and a siesta is the most efficient method of staying awake. The three times in my life that I did well during a tennis tournament, I had done just that. In London clubland, it is no good being a member of Pratt's or the Beefsteak. They have no facilities for a postprandial nap. White's does, as does Brooks's and the Turf. The trouble with London clubs is that one has to suffer male conversation before reaching nirvana. It is considered rather rude to walk in, speak to no one, and then sack out. Londoners who aren't club members, of course, sleep it off in Hyde Park as soon as the temperature goes above freezing. You can see thousands of them in deck chairs sleeping under their newspapers.

The French, needless to say, manage to combine the siesta with their traditional adultery. *Le cinq à sept* means love-making, but is looked upon by the wife as siesta time. French politicians openly keep *garçonnières*, those romantic one-bedroom apartments near the National Assembly that they use for assignations. I remember once upon a time in Athens when real-estate offices would advertise *garçonnières*. All my father's friends had one, and some of them were even included in the telephone book in case of emergency. Wives turned a blind eye.

The charismatic Fiat chairman, Gianni Agnelli, fabled Casanova, kept a beautiful, round one-room house with swimming pool, Villa Bonna, on top of a Turin hill. Although everyone knew its location, no journalists or photographers ever bothered him there. Siesta time is sacrosanct in the land of pasta.

Ironically, Hitler was the only one among the war leaders who didn't have a regular siesta. But I won't go so far as to say that's why he lost the war. The siesta is one good habit Americans can copy from us Europeans. In fact it's time to wake up to the joys of the afternoon nap. Ronald Reagan did it throughout his presidency. Clinton does not. Just look at the results. □

SOUND ON DISC

Isn't it Romantic?

RALPH DE TOLEDANO

WE are told that as we listen to Hector Berlioz's *Symphonie Fantastique*, we must at all times remember that he was 26 when he wrote it, that he was "mad" with love of the English actress Harriet Smithson at the time, that it represents a full panoply of Romanticism. These guideposts may be of interest to the musicologist and the historian. For thee and me, whose major interest must be what the ear ingests and the mind considers, the *Symphonie Fantastique* can only be the work of a genius, writing music in the Geist of an artistic period in which poets, painters, and composers set new standards. It was not the new standards that made Berlioz's music, but the music that helped make the new standards.

I had thought that I would never again listen to any recording of the *Fantastique* except Roger Norrington's, which grabs you by the short hair and lifts you out of your chair; but Pierre Boulez, a composer in his own right, has given us a more conventional reading of the work which probes deeply into a score of infinite hue. And with

(Continues on page 72)

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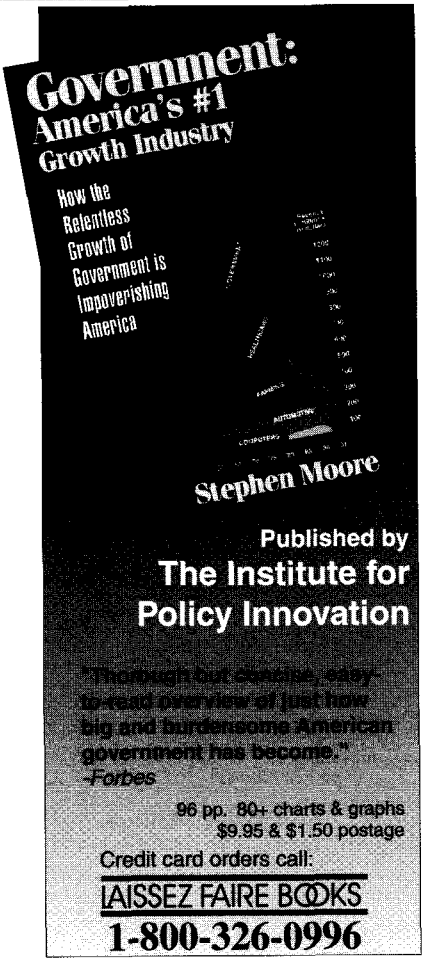
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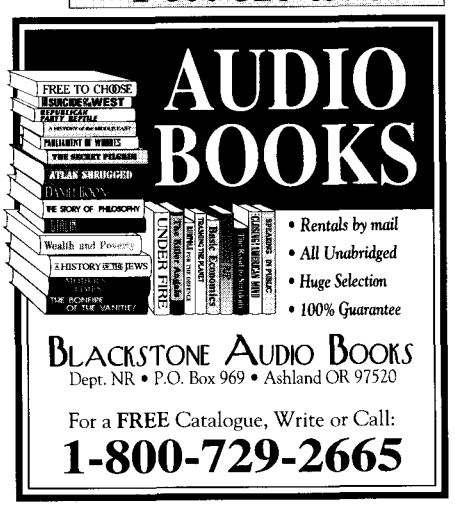

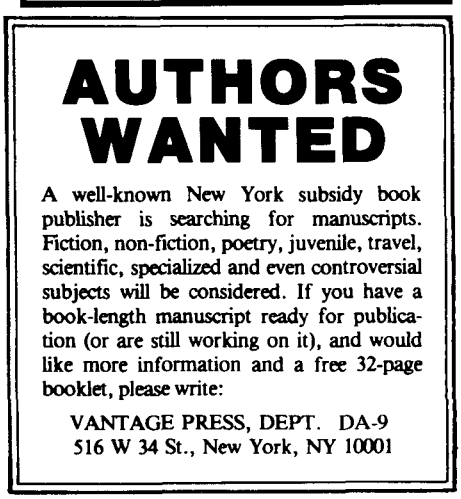
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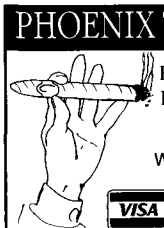

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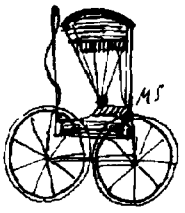
TOLEDANO

(Continued from page 69)

this *Fantastique* on a three-CD release from Sony Classical comes an abundance of other Berlioz works, such as the seldom-heard *Lélio*, overtures from four operas, and the lovely "*Les Nuits d'étés*," sung by Yvonne Minton and Stuart Burrows.

■ It was in the 1940s that I reviewed in *The New Leader*—an important but now forgotten periodical of which I was an editor—a memoir by Bruno Walter of his teacher and hero, Gustav Mahler. It is a book to which I return from time to time, for Walter, a fine conductor, gives us more than a few *aperçus* of a composer who in his greed for the titanic embraced the columns holding up the temple of music and sought, Samson-like, to bring the place crashing down on his head. I am probably in a minority, but I have always felt that Mahler's earlier symphonies spoke most movingly in the universal language of sound. So it was happily that I placed in my CD player Bruno Walter's traversal of Mahler's No. 1, No. 2, and No. 5 Symphonies (Sony Classical). It is the No. 1, with its thrusting ironies, that I turn to most often. The orchestral architectonics of the later symphonies strive for the empyrean, but the early symphonies reach more quickly for the mind and heart.



■ From Beethoven we have the piano concertos and the symphonies, and who could ask for anything more? But the piano sonatas are music for contemplation—and the last of them achieve far more than the final quartets, which are supposed to be the ne plus ultra of Beethoven. The sonatas have seldom been brought to our contemporary ears in unadulterated form, for it has only been since the "early instruments" movement that we have heard these sonatas as they were played in Beethoven's time and as they were meant to be heard. I have over the years urged readers to get the recordings of these and other works by Paul Badura-Skoda, one of the very great pianists of our time. Now we have Melvyn Tan giving us three of the sonatas—*Les Adieux,* the *Waldstein*, and the *Appassionata*—on the fortepiano (EMI Virgin Classics). The *Appassionata* has brought many a pianist down, but Tan pulls it together so that it becomes a cohesive whole—an accomplishment of note.

■ Holy Week is well behind us by now, but I strongly recommend *Music for Holy Week*, on EMI Classics, because it includes two works, *O vos omnes* and *Videte omnes populi*, by Tomás Luis de Victoria, the greatest liturgical composer of his time. Very seldom are his God-intoxicated works recorded, although they are musically superlative, rich in texture and depth. My few words here will have little effect, but I cannot understand why the recording companies ignore Victoria.

■ The Smithsonian Institution, in its great and continuing series of classic jazz reissues, now gives us *Beyond Category: Duke Ellington,* beautifully packaged and with excellent program notes. The Duke was always beyond the usual jazz categories. As composer, leader, and soloist, he made the jazz orchestra his instrument. Now on two CDs, the Smithsonian presents a broad survey of Ellington's work, from the early "jungle style" to the sophisticated and sometimes mannered recordings of his last days. The Duke was one of the very greatest in jazz, combining the basic elements of improvisation and arranged jazz with his own style and inspiration. Up to the late 1940s, he had musicians of great technique and creativeness working with him, who were keyed to Ellington's genre and who made their own contribution in their solos and their *esprit d'orchestre*. In this album you will hear some of the finest of the earlier works, including "Creole Rhapsody," one of the earliest two-sided 78s, graced by Cootie Williams's muted and open trumpet. The album moves ahead decades to "I've Got It Bad and That Ain't Good," the Duke's poignant melody to Paul Webster's fine lyrics, and on to some of the late repertory.

■ In the so-called "mainstream" jazz genre is an audio cassette of *Max Hook and the Classical Jazz Sextet* playing nine standards. My heart goes out to "Georgia on My Mind," "Tin Roof Blues," and "Pennies from Heaven." All nine numbers are played in the rousing and satisfying small-band style of the 1930s and 1940s, and they take you back to the wonderful New York days of Nick's and Café Society in Greenwich Village—with Max Hook, in the great style pioneered by James P. Johnson and the stride pianists who followed, pulling it all together. You will probably not find this cassette in your neighborhood record shop, so I suggest you get in touch with Hook at 18 E. Elm Street, Chicago, Ill. 60611, or call him at 312-787-4740. If you look back to the great Condon days, this is for you. □

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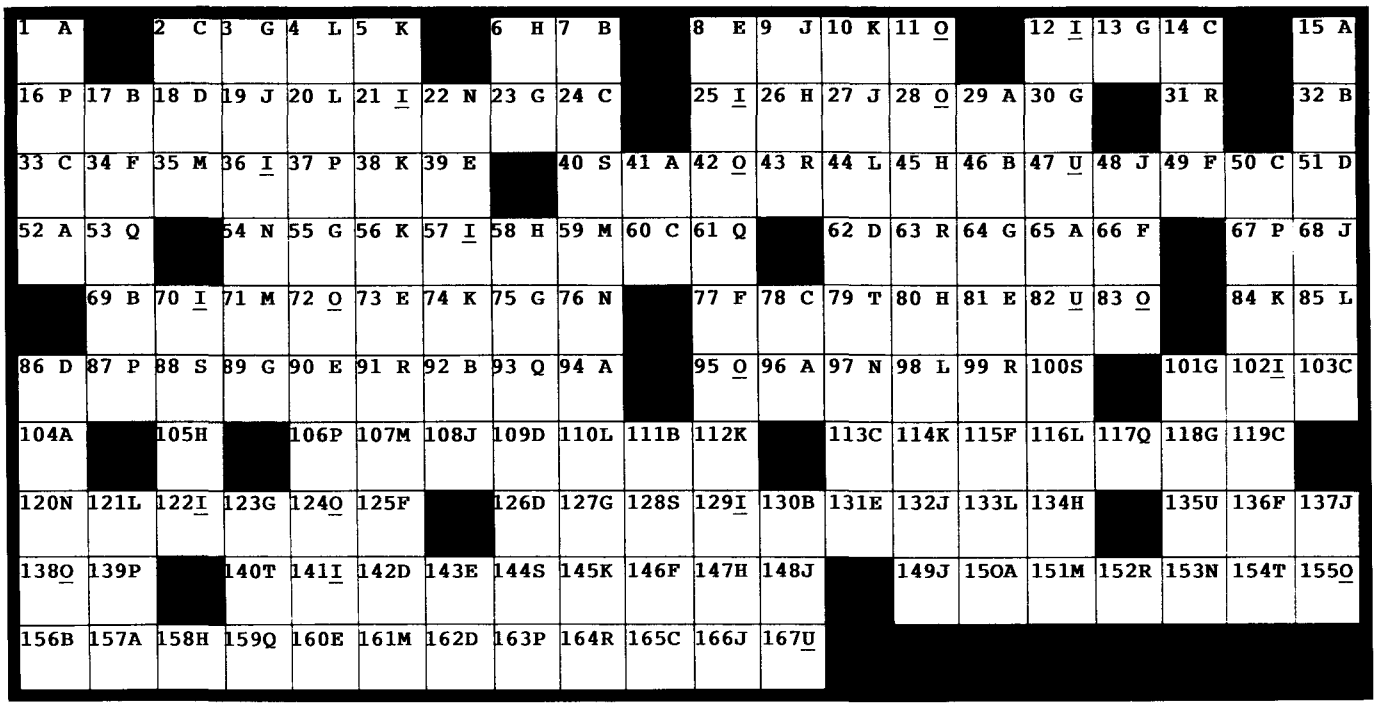
TRANS-O-GRAM / Kem Putney



DEFINITIONS

A. One-time British battleship — 41 157 65 1 104 94 52 150 15 96 29

B. Off-putting — 7 69 46 130 32 156 92 17 111

C. Nebraska river and city (2 words) — 103 165 60 50 119 2 78 33 113 24 14

D. Scholarly — 162 142 62 109 18 86 51 126

E. Music to the comic's ears — 39 90 160 81 8 73 143 131

F. Bitter invective —from two groups of Indians? — 66 77 49 34 115 146 136 125

G. Certain union members — 3 123 75 118 101 13 127 89 55 64 30 23

H. It pays to do this — 105 134 147 158 26 6 45 58 80

I. A NAFTA capital (2 words) — 21 102 141 57 129 36 25 70 12 122

J. Bureaucrat in Lima? — 149 27 9 166 48 137 108 132 68 148 19

K. Gorgeous — 112 38 10 84 145 114 74 5 56

L. Having inferior numbers — 116 98 44 85 4 121 20 133 110

M. Broadway sight — 161 35 71 107 59 151

N. Ass—but not a Democrat — 97 153 120 76 22 54

O. Sets free — 138 124 83 42 28 155 72 11 95

P. Depot — 106 139 67 163 87 16 37

Q. Loretta of film fame — 61 93 117 53 159

R. First — 152 43 164 91 63 31 99

S. Bell sounds — 100 40 128 88 144

T. Shocking sea creature — 154 140 79

U. Largest of the seven — 135 167 47 82

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's Deluxe Unabridged Dictionary*, Second Edition.

Solution to Last Issue's Trans-O-Gram. [SUZANNE] FIELDS: *Gramm's Not Inspiring*: ". . . Mr. Gramm, who brings sound economics to conservative arguments, ought to summon a sustained emotional attachment to the social issues, too, if he wants to get his campaign plane off the runway. Numbers don't inspire passion, people do."

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Gingrich's Other Problem

NEW YORK, JUNE 13

The circumstances in which Newt Gingrich met with the President all but guaranteed that Gemütlichkeit would take over. Observers who walked away with harsh thoughts about Mr. Gingrich simply haven't experienced, and can't imagine, the kind of thing that happens even to grown-up, hands-on gladiators when the cameras are smiling and civility is King. After all, Winston Churchill was polite and (up to a point) accommodating to Josef Stalin. It shouldn't surprise that Gingrich and Clinton looked a little like zygotic twins.

On lobbying reform they could agree: both Republicans and Democrats suffer from narrow-gauge lobbying. Clinton walked off with the exchange by suggesting that he was astonished that Gingrich would agree to inquiring into lobbying activities. The idea was to empanel a Blue Ribbon Commission to make recommendations. Not a bad idea, but meanwhile it left Mr. Clinton and Mr. Gingrich able to satisfy listeners without endorsing, or even mentioning, any lobbying reform.

When the question of the minimum wage was raised, it would have been gratifying to hear Mr. Gingrich say flatly that to raise that wage is to marginalize workers at the low end of the salary scale, period. But he acknowledged that there was another school of thought on the matter, and Mr. Clinton told us what that school of thought holds, which is that if you raise the minimum wage, a lot of people are attracted to take the job and come in from unemployment. Presumably Mr. Clinton is talking about teenagers who express their pride by turning down the minimum wage and taking state welfare.

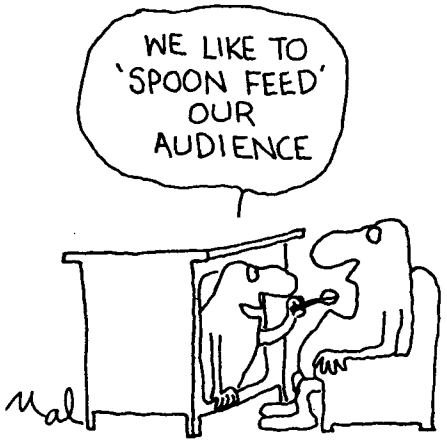
Mr. Gingrich, on the Haiti question, said that the whole operation had gone more smoothly than he had anticipated, which however left dangling the question whether United States Marines are expected to introduce democracy wherever it falters, except in Cuba. On Americorps, Gingrich just sort of moved out of the way, permitting the President to applaud his volunteer system, without mentioning that the volunteers are being paid almost twice the minimum wage.

Newt Gingrich's problems aren't the tête-à-têtes with the President. They are the infidelity of his troops. The Contract with America was formally endorsed by almost everyone running for Congress last fall on the Republican ticket. A rudimentary sense of fraternity would suggest to Republican senators the presumptive case for the reforms associated with the Contract.

In a useful rundown of Republican faintheartedness, Rich Lowry in the latest issue of *NR* gives a comprehensive idea of the problem.

It was Republican Senator Slade Gorton, Mr. Lowry reports, who was primarily responsible for derailing the product-liability bill. House Agriculture Committee Chairman Pat Roberts of Kansas is the catonic voice warning against any disruption in the flow of subsidies to farmers. In this he is aided by Senator Charles Grassley of Iowa, and the result is a kind of paralysis on the question.

It is so with Title X programs, which amount to a rich subsidy for Planned Parenthood, which is an activist pro-abortion organization. Attempted reforms ran into House Republican John Porter. Jan Meyers of Kansas stopped reform of the Small Business Administration racket. The Rural Electrification Administration is as relevant as the Flat Earth Society, but Republican Wayne Allard of Colorado is its mother, and he coos over it as required. Reform of the Low Income Home Energy Assistance Program ran into Republican Senator Arlen Specter, "whose fiscal conservatism is supposed to compensate for his lack of any other kind."



Mr. Lowry concludes, "Some of this effect is generational, a matter of seniority. . . . Mark Hatfield, the sole Republican holdout on the Balanced Budget Amendment, is a creature from a different era." *That* is Newt Gingrich's problem, and the division within Republican ranks is the great Democratic hope. □

Guantanamo at Work

GUANTANAMO, JUNE 2

From time to time Admiral William J. Flanagan Jr. needs to pop down to Guantanamo to see that all is in order there, so that he can return to Norfolk to attend to his other duties as commander-in-chief of the United States Atlantic Fleet. The trip to the naval base in Guantanamo Bay is three and a half hours on the admiral's busy turboprop, a P-3 Orion with a range of 14 hours, which permits the admiral to reach the furthest corners of his command.

At this moment, Guantanamo is primarily a logistical headache. We wrested it from Cuba a few years after the Spanish–American War, and in 1934, under a treaty accommodation with Cuba, it became the property of the United States for as long as we choose to hang onto it. But then this was also the case with the Panama Canal Zone, which under the relevant treaty became ours forever, but pressures mounted and, in the late Seventies, we yielded to Panamanian nationalism. Fifteen years later, the Canal is secure, and the Republic of Panama deteriorates. For a few years, until his huffs were absorbed by other problems, Fidel Castro deplored Guantanamo's occupation by the United States, but beyond sequestering it—the North East Gate to the 42-square-mile enclave is rather like Berlin's Checkpoint Charlie—Fidel lets it alone, and nowadays has reason to be glad it is in operation.

Gitmo, as they call it, was a critical base during World War II, a U.S. salient into waters infested by German U-boats. ("If you could see an aerial map of the seabed of this part of the world—it looks like buckshot had been dropped over the whole surface." The reference is to the millions of tons of ships sunk by the U-boats.) And, during the Cold War, Gitmo guarded the critical passageway for

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South American oil headed for the United States and Europe.

But now Guantanamo is in the news primarily because of Cuban and Haitian—pause: The reflex is to call the 15,000 men (predominantly), women, and children "refugees." But to call them that is in effect to certify that they fled Cuba (and Haiti) because they feared political oppression. It is not established, in every case, or for that matter even in the majority, that persecution was the motive that brought these 15,000 to the boats from which they were picked up and taken to the safe haven of Guantanamo. Under the circumstances, protocol calls them "migrants." But they refer to themselves as *balseros*, i.e., "raft people." Boat people.

As of May 1, it wasn't known what would happen to the thousands of Cubans in Guantanamo. They wanted access to the United States, and sponsors had been lined up who guaranteed they would not become public charges. But immigration pressures, and anti-immigration pressures, mounted, and the result was paralysis. Until May 2, which date will be celebrated by the grandchildren of the refugees/migrants/*balseros*—because that was the day President Clinton's deal with Fidel Castro was announced. Clinton would admit the Guantanamo Cubans into the United States. In return, Castro would a) clamp down on emigrational initiatives, and b) receive back those Cubans who escape the government net, and return them, unharassed, to the homes they had risked their lives to leave.

I asked José Ferrer, who is the "captain" of Village Alpha—a concentration of twenty or thirty large tents sheltering several hundred Cubans on the hot, dry, unlovely soil of Guantanamo—whether in the future he might leave America to return to a post-Castro Cuba. "No," he said—because "after Castro there will be another Castro."

Did he mean Castro's brother, Raúl?

Well, yes. But if not he, someone else. "They are too well protected to perish." José Ferrer, tough, muscular, diligent, served as a lieutenant in the guard division of Castro's Cuba. He worked most directly under General Ochoa, who, not long ago, was executed by Fidel, for the sin of becoming too popular with the troops.

What goes on in Guantanamo, under the close supervision of a commander-in-chief who moans over the drain on his budget ($1 million per day), is one more humane enterprise by the United States —rescuing thousands more from life under a totalitarian dictatorship. The cost of doing this reaches beyond the admiral's budget. For the first time—ever—we are committed to returning refugees to the land from which they hoped to escape. But that capitulation doesn't contaminate the means or the ends of the Joint Task Service that is superintending the liberation of 15,000 men, women, and children who, up until May 2, had all but abandoned hope. □

Burn the Flag? Well, No.

NEW YORK, JUNE 9

The proposed constitutional amendment designed to discourage the burning of the flag is being criticized on three grounds. One is that flag-burning is an aspect of free speech; a second, that flag-burning is so infrequent as to warrant ignoring it rather than writing a prohibition against it into the Constitution; a third, that no amendment to the Bill of Rights has thus far been written, so that to amend it now is on the order of editing *Hamlet*.

The problem with the free-speech approach is that we have lived, in the past two generations, to see the guarantee of free speech cover subjects never intended to flourish under its protection. Not very long ago, *Lady Chatterley's Lover* was not permitted to go on sale. That novel is, by comparison with what one now finds routinely in bookstores and kiosks, a model of reserve. The anti-censorship people love to point to *Ulysses*, Joyce's masterpiece, as a historical turning point. When Judge Woolsey ruled that *Ulysses* could be marketed, he justified the triumph of art over prudishness. Therefore (the argument runs) anything that can be held by anybody to have an artistic aspect is equally protected. There is this problem, which is that *Ulysses* is indeed art, and *Hustler* is not art, so that to cite the identical clause in the Constitution as a franchise for both is either to traduce the Constitution, or to scorn its interpreters.

It is largely for that reason that the anti-flag-burning lobby is aroused. They have been hearing since 1984 from ACLU-types that burning the flag is an expression of free speech. They look at a picture of the man who burned the flag and clearly he is not speaking—what he is doing is burning a flag. And they say to themselves, "Here we go again. They were telling us that Free Speech protects *Deep Throat*, and now they are telling us that it protects flag-burning. The hell with them."

Then we hear about its infrequency. There are only 45 occurrences on record. And since the Supreme Court overturned the Texas verdict against the flag-burner, not more than eight occurrences per year are recorded. Why go to the Constitution to prohibit something that happens as rarely as an eclipse of the sun?

Surely one reason to do it is that the people wish to do it. This is hardly to endorse the position that everything the "people" wish to do should be done—on the contrary: the Bill of Rights is, after all, like the Ten Commandments, a syllabus of constraints: Thou shalt not legislate against free speech . . . And a flag-burning amendment can be viewed as a contradiction of one of these constraints: Thou shalt not interpret the First Amendment as authorizing the burning of the flag.

Here, it would seem, is something on the order of an oblation—an offering, by the people of the United States, to the emblem of their country. You—the United States—have done a whole lot for us, and therefore we are going to do this for you, we are going to protect you against public indignity. Anybody who picks up your flag and burns it in public situations is going to the cooler for a week or so to sober up. No lèse-majesté at the expense of our flag—that's our gift to you, and we make it with full hearts.

On the question of treating the Bill of Rights as virgo intacta, and a violation of it as rape, surely we are seasoned enough to recognize that the lady is by no means still a virgin. The Ninth and Tenth Amendments, for instance, up until very recently might as well have been repealed. Under the *Lopez* decision, artificial respiration was given to the Tenth Amendment, though it is still too soon to know whether it will revive. *Lopez* said that the Federal Government had no authority to decide whether guns would be allowed near school playgrounds in Texas, that that was up to Texas. On the other hand, the term-limit decision deprived the states of authority to exercise their own judgment on how long their representatives could stay in Washington.

And the First Amendment has in the opinion of many, including a score of Supreme Court Justices, been violated when read to prohibit such things as prayer in schools.

Amendments have been made right along. And our beady eyes spot resistance to an amendment to the Bill of Rights as prefiguring arguments against another initiative: to restore to the Bill of Rights the meaning it had for so many years on the matter of prayer in public places other than Congress. □

(Universal Press Syndicate)

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McNamara's Brand

I'M a little bit worried. As I write this, in early June, it's been a full month since I've read a nationally published article trashing Robert McNamara. All spring, immediately preceding the publication of McNamara's memoirs and then for a luscious period thereafter, you couldn't pick up a magazine or a reputable newspaper without exposing yourself to a shower of bile, all of it directed at our diminutive and bespectacled former secretary of defense. *NR* and *The American Spectator* pitched in, of course, but so did the *New York Times* and the *Boston Globe*, and *Time* and *Newsweek*, and *The New Yorker* and *The New Republic*—even *The Nation*! For a while there, many of us McNamara-despisers thought we'd died and gone to heaven (a fate, incidentally, that McNamara himself is unlikely to enjoy).

And then—silence. What gives? Apparently the scribes have moved on; never has the press's short attention span been so criminally obvious. I feel like a guy at a college beer bust who senses the buzz just starting to kick in and wants to *part-ay down,* only to discover that everybody has gone off to the library to cram for a chem final. But for all that, I am an optimist; I am one of those who believe the keg is half full rather than half empty. And speaking only for myself, I'm ready for another draft.

My interest in McNamara is intensified because he exemplifies a peculiar Washington phenomenon. In Washington people fail up. The city is exempt from the laws of professional gravity. No other city is so accommodating of failure, so friendly to the people who fail. Large awards await the bunglers and bobblers, the has-beens and wannabees-who-never-could. Our present mayor, to cite an obvious example, destroyed the city's finances, smoked crack on TV, went to prison—and then got reelected. Other failures have shown greater artfulness. You can see them cruising K Street in chauffeured Town Cars, cashing large checks for their "consulting" businesses, digging into filets at the Palm. Here's the Iran–Contra bungler, awarded a popular radio show for his work destroying the Reagan Administration. Over there is the manager of the 1992 Bush campaign, mulling offers from candidates to work his magic again in 1996. And over here is the chief strategist for Jimmy Carter during the Iranian hostage crisis—why, he's the secretary of state!

McNamara is spiritual father to them all. He is the architect of a career breathtaking in the scope of its screwups, a clockwork progression of failure and reward, error and advancement. Imagine a friend who comes to visit. The first night he cooks you dinner and sets fire to the kitchen. The next morning he accidentally electrocutes the cat. He blows his nose in the curtains and never flushes the toilet. He borrows your car and drives through the garage door, then spreads a rare contagion to your kids. By the third day you make the decision: *You ask him to move in with you.*

Mr. Ferguson is a senior editor of The Weekly Standard.

This is the pattern of McNamara's career. At Ford Motors, in the late 1950s, he designed the sclerotic top-down management system that almost sank the American automobile industry; for good measure, he oversaw the production of the Edsel. Accordingly, JFK handed him the Pentagon. There McNamara got the idea for the Vietnam War—the Edsel of American foreign policy. So awed was the Washington establishment that it placed him at the head of the World Bank, in hopes that he might do for the international economy what he had done for the American military. And he did! Within ten years he had doubled the amount of money loaned, and lost, to Third World kleptocracies like Brazil and the Central African Empire. He was Midas in reverse. Wherever he draped his hand, industries wilted, economies collapsed, corpses piled up.

NO one should have been surprised, then, that when McNamara chose to write the story of his life, it should have turned out to be a disaster by every literary measure: mendacious, sentimental, shameless in its exculpation, oily in its tone, a book so badly written that no one would ever really want to buy it. And of course it has been a rousing bestseller.

How does one explain a life thus charmed? His good looks? They may indeed have dazzled back in the days when no one minded goofy wire rims and the stink of Brylcreem. His sensitivity? It's true he cried often, and still does—the one time I met him, at a think-tank luncheon, he teared up over the Cuban Missile Crisis—and in the pre–Alan Alda Sixties a man's capacity to cry could still disarm unwary companions. But none of this is sufficient. Washington's inverted culture, where failure propels a man ever upward, bespeaks a kind of masochism. Of course, the actual pain is dispersed to the country at large. But for the professional failure Washington remains safe harbor. Within weeks of the publication of the book, McNamara had been called "evil," a "liar," and a "hypocrite." Out in the heartland, a few Vietnam vets even sued him. Here in Washington Katharine Graham threw him a book party. Everybody who's anybody was there. —ANDREW FERGUSON

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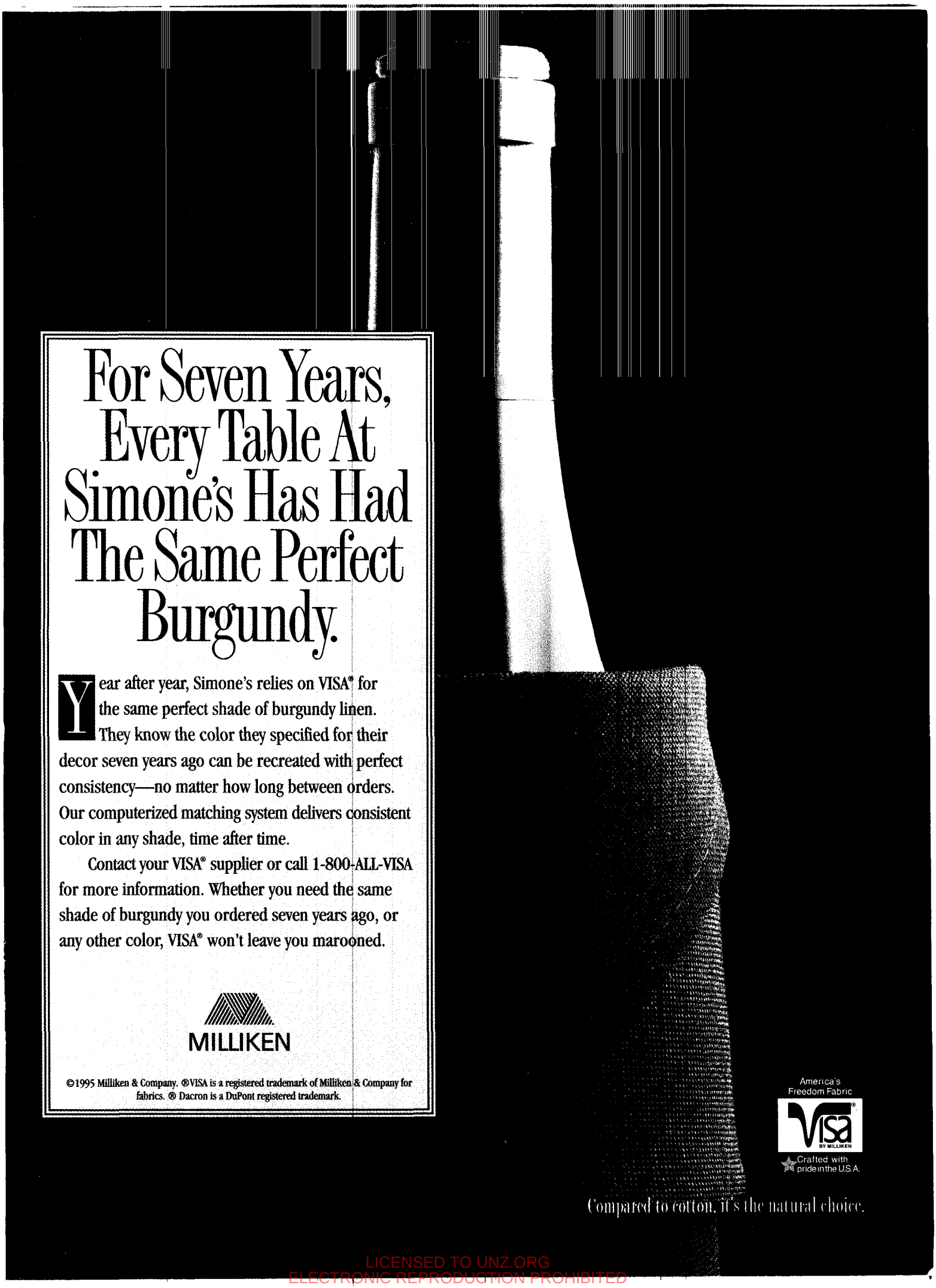

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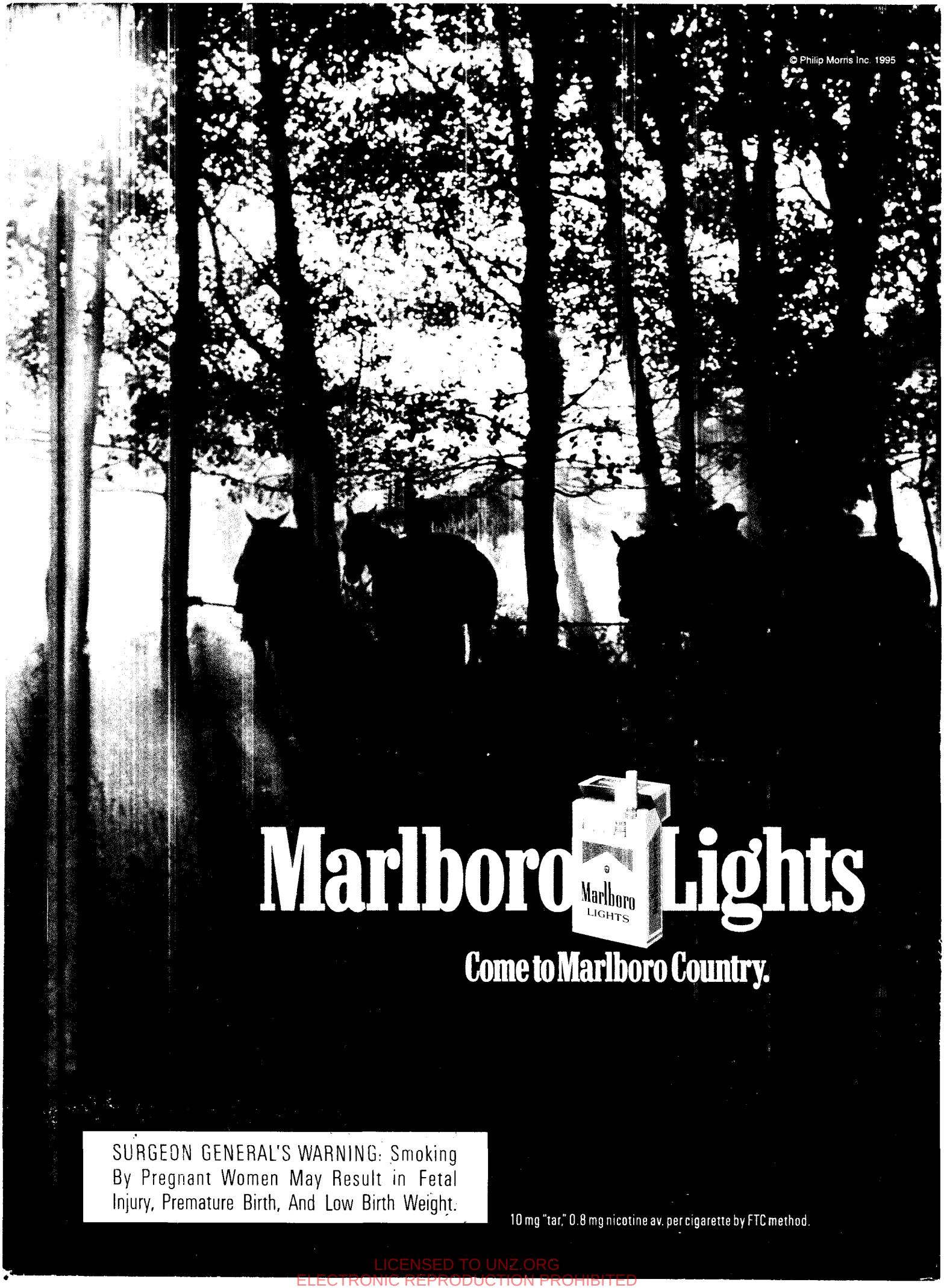
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